

184

---

# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

---

Monthly - 12 s per annum.

London:  
45 MECKLENBURGH SQUARE.

# Bulletin

OF THE

## INTERNATIONAL LABOUR OFFICE

Monthly - 12 a per annum

London:  
at the International Office

# Bulletin

OF THE

# INTERNATIONAL LABOUR OFFICE

---

## NATIONAL LABOUR LEGISLATION.

### LAWS AND ORDERS.

German Republic: Order respecting provision for the unemployed ;  
Order respecting working hours in baking and confectionery establishments.

German Austria: Act respecting the regulation of conditions of work and wages in home work.

Bulgaria: Act respecting the health and safety of workers.

Spain: Act respecting the daily hours of work in commercial undertakings.

France: Act to organise the Saturday afternoon half-holiday for women in the clothing trades ; Act respecting the breast-feeding of infants in industrial and commercial undertakings.

Norway: Act respecting industrial homework.

Russia: Decree respecting the eight hour working day, the duration and distribution of working hours.

Monthly - 12 s per annum.

London:  
45 MECKLENBURGH SQUARE.

---

• Printed October 1919.



# CONTENTS.

## Laws and Orders.

### International Labour Legislation.

	Page
Arrangement between France and Italy, respecting the application of the provisions contained in Article 1, b, of the Convention signed at Rome on 15th April 1904, by France and Italy, having, in particular, the object of enabling the citizens of the two countries working abroad to benefit from the social insurance laws. 9th August 1910 . . . . .	1
Convention concluded at Paris between France and the Republic of San Marino in order to insure to the workers of the two countries compensation for injuries resulting from industrial accidents. 9th August 1917 . . . . .	1

### National Labour Legislation.

<b>German Republic:</b> Proclamation of the Council of the People's Commissioners to the German People. 12th November 1918 . . . . .	1
Decree respecting the establishment of the Imperial Board of Economic Demobilisation (Demobilisation Board) 12th November 1918 . . . . .	2
Order respecting provision for the unemployed. 13th November 1918 . . . . .	2
Order respecting labour legislation. 12th November 1918 . . . . .	4
Order respecting the extension of compulsory insurance and the right to insurance under the sickness insurance system. 22nd November 1918 . . . . .	5
Order respecting working hours in baking and confectionery establishments. 23rd November 1918 . . . . .	5
Regulations respecting the hours of work of industrial workers. 23rd November 1918 . . . . .	8
Order respecting collective agreements, workers' and employees' committees and the settlement of industrial disputes. 23rd December 1918 . . . . .	10
<b>German Austria:</b> Act respecting the introduction of the Eight Hour Day in industrial undertakings carried on as factories. 19th December 1918 . . . . .	10
Act respecting the regulation of conditions of work and wages in home work. 19th December 1918 . . . . .	12
Act respecting Child Labour. 19th December 1918 . . . . .	19
<b>Brazil:</b> Health Act. 29th December 1917 . . . . .	25
<b>Bulgaria:</b> Act respecting holidays and Sunday rest. 7th/20th Febr. 1911 . . . . .	26
Act respecting the health and safety of workers. 5th/18th April 1917 . . . . .	26
<b>China:</b> Act respecting the emigration of workers. 21st April 1918 . . . . .	30
Order respecting agencies for recruiting workers. 21st April 1918 . . . . .	30
<b>Spain:</b> Act respecting the daily hours of work in commercial undertakings. 4th July 1918 . . . . .	30
<b>Finland:</b> Order respecting the insurance of workers against accidents. 18th August 1917 . . . . .	34
Order respecting the insurance of seamen against accidents. 18th August 1917 . . . . .	35
Order respecting work in industrial and certain other undertakings. 18th August 1917 . . . . .	35
Order respecting labour inspection. 18th August 1917 . . . . .	35
Order respecting employment exchanges. 2nd November 1917 . . . . .	35
Order respecting unemployment funds which have a right to a State subvention. 2nd November 1917 . . . . .	35
Resolution of the Senate containing regulations for printing works in Finland. 25th May/7th June 1917 . . . . .	35
Resolution of the Senate containing regulations for stone-blasting and stone-cutting in Finland. 25th May/7th June 1917 . . . . .	35

(Continued on page iii. of Cover.)

# Bulletin

## OF THE

# INTERNATIONAL LABOUR OFFICE

[NOTE. — The German, French, and English editions of the *Bulletin* are referred to as G. B., F. B., and E. B., respectively.]

### I. International Labour Legislation.

1. *Arrangement conclu, le 9 août 1910, entre la France et l'Italie, relatif à l'application des dispositions inscrites à l'article 1, § b, de la convention signée à Rome, le 15 avril 1904, par la France et l'Italie, et ayant notamment pour objet de faciliter aux nationaux des deux pays, travaillant à l'étranger, le bénéfice des assurances sociales.* (Bulletin du Ministère du Travail et de la Prévoyance sociale 1918, 118\*).

Arrangement between France and Italy, respecting the application of the provisions contained in Article 1, b, of the Convention signed at Rome on 15th April 1904, by France and Italy, having, in particular, the object of enabling the citizens of the two countries working abroad to benefit from the social insurance laws. Concluded 9th August 1910.

2. *Convention conclue à Paris, le 9 août 1917, entre la France et la République de Saint-Marin en vue d'assurer aux travailleurs des deux pays la réparation des dommages résultant des accidents du travail.* (B. M. T. 1918, 99\*).

Convention concluded at Paris between France and the Republic of San Marino in order to ensure to the workers of the two countries compensation for injuries resulting from industrial accidents. Dated 9th August 1917.

### II. National Labour Legislation.

#### 1. Laws and Orders.

##### I. German Republic.

1. *Aufruf des Rates der Volksbeauftragten an das deutsche Volk* (Nr. 6528.) Vom 12. November 1918 (Reichs-Gesetzblatt S. 1303).

Proclamation of the Council of the People's Commissioners to the German People. Dated 12th November 1918.



### To the German People!

The Government arisen out of the Revolution which is purely socialist in political principle, takes upon itself the duty of carrying the socialist programme into effect. The Government promulgates at once the following principles which are hereby given the force of law:

1. The state of siege is revoked.
2. The right of association and meeting shall be subject to no limitations, not even for officials and State workers.
3. There shall be no censorship. The theatre censorship is abolished.
4. There shall be complete liberty of speech and writing.
5. Freedom of religion shall be guaranteed. No person shall be compelled to perform any religious act.
6. Amnesty is granted for all political offences. Proceedings pending in respect of such offenses shall be withdrawn.
7. The National Service Act is revoked, except the provisions relating to the settlement of disputes.
8. The Domestic Service Laws are put out of operation as well as the Laws discriminating against agricultural workers.
9. The provisions for the protection of labour which were put out of operation at the beginning of the war are hereby brought into force again. Further measures of social legislation will shortly be issued. The maximum 8 hour day will be introduced not later than 1st of January 1919. The Government will take all possible steps to provide adequate opportunities for work. An Order respecting the maintenance of the unemployed is prepared. It divides the burden between the Empire, the States and the Communes.

As regards sickness insurance, compulsory insurance is extended beyond the former limit of 2,500 marks.

The shortage of dwellings will be relieved by building.

Endeavours are being made to ensure the organised feeding of the people.

The Government will maintain organised production, protect property from exploitation by private persons, and safeguard the liberty and security of the individual.

All elections to public bodies shall hereafter be conducted on the method of equal, secret, direct and general franchise, based on the system of proportional representation, for all male and female persons being at least 20 years of age.

This franchise shall apply also in respect of the Constituent Assembly, as regards which more detailed provisions will be issued hereafter.

2. *Erlass über die Errichtung des Reichsamts für die wirtschaftliche Demobilmachung (Demobilmachungsamt)* (Nr. 6529). Vom 12. November 1918 (R. G. Bl. S. 1304).

**Decree respecting the establishment of the Imperial Board of Economic Demobilisation (Demobilisation Board).** Dated 12th November 1918.

3. *Verordnung über Erwerbslosenfürsorge.* (Nr. 6530). Vom 13. November 1918. (R. G. Bl. S. 1305).



Order respecting provision for the unemployed. Dated 13th November 1918.

1. Imperial Funds shall be provided for assisting communes or groups of communes in the matter of provision for the unemployed.

2. The communes shall be bound to make provision for the unemployed, such that it shall not have the legal character of poor relief.

3. Communes which, in spite of need existing, fail to provide any or adequate benefits for the unemployed, shall be compelled to do so by the communal inspecting authorities or the authorities designated for the purpose by the central authority of the State; such authorities may take the necessary measures on behalf of the commune, and may require a wider group of communes to assist a commune in the event of its being unable to pay the benefits, or to take over the provision of benefit altogether.

4. The Empire shall reimburse six-twelfths, and the Federal State concerned four-twelfths, of the expenditure of a commune or a group of communes on provision for the unemployed. The Imperial Government or an authority designated by it, may allow an increase in the Imperial subsidy for poor communes or particular districts. Where in pursuance of the regulations of 17th December 1914, respecting War Relief, and the supplements thereto, larger sums are granted from Imperial funds for the unemployed, such grants shall remain unaffected.

5. The unemployment benefit shall be provided by the commune or group of communes within which the unemployed person lives. Soldiers shall receive benefit in the place where they lived before being called up to serve, regardless of any temporary relief advanced to them in the place where they are staying.

Persons who went to work during the war in another place, shall return to their former home as soon as possible and shall be assisted there on their return.

Free fares to the former home shall be provided by the commune of the last place of residence, out of funds for providing benefits for the unemployed.

6. Benefit shall be granted only to persons over 14 years of age capable of and willing to work, who are in need through unemployment arising from the war. Subject to the provisions of Sections 11 and 12 a person shall only be held to be in need if his income, including the income of members of his family living with him, is, as a result of partial or total unemployment, so much reduced, that he is no longer able to provide the necessities of life.

7. Women shall only receive benefit when they depend upon their earnings. Persons whose former bread-winners return fit for work shall not receive unemployment benefit.

8. Unemployed persons shall be bound to accept any suitable work offered, even outside their trade and place of residence, especially in the place where they were formerly employed and the place where they lived before the war, and also for reduced hours, provided that proper wages, customary in the district, are offered for the work, that the work is not injurious to health, the accommodation is free from objection on moral grounds, and in the case of married persons, it is not impossible to look after their families. Free fares to the place of employment shall be granted by the commune of the last place of residence out of funds for providing benefits for the unemployed.

9. The communes or groups of communes shall determine in their discretion, the nature and amount of the benefit, whether there shall be a short waiting period, not exceeding one week, for unemployed persons other than soldiers, and whether the sick fund contributions shall be continued. Notwithstanding, adequate benefit must be provided amounting to not less than the local wage determined in accordance with the Imperial Insurance Code and suitable increased according to the number of members of the family in the case of the breadwinner of a family; special benefits (food, rent allowances etc.) may be given instead of money benefit. No waiting period shall be prescribed in the case of persons who have taken part in the war.

If, as a result of a temporary cessation or limitation of work, workers fail to work in a calendar week the number of hours customary in their workplaces



without overtime, they shall receive unemployment benefit for the lost hours in so far as 70 % of their regular earnings does not amount to twice the benefit in case of total unemployment. The difference shall be paid as unemployment benefit.

10. The communes or groups of communes may attach further conditions (such as participation in public educational institutions, technical training, attendance at workshops and apprenticeship courses) to the granting of benefit, especially in the case of young persons.

The may lay down special reasons for which a person may be debarred from receiving unemployment benefit (misuse of the institution, failure to observe the rules laid down for inspection purposes etc.).

11. Small property (savings, housing arrangements) shall not be taken into account in deciding whether a person is in need.

12. Benefits which an unemployed person draws as a result of his own or another person's thrift, and annuities, shall only be taken into account by the commune or group of communes, in so far as the unemployment benefit and the other benefits and annuities together exceed four times the local wage. Interest on savings and such-like shall also be taken into account.

13. In order to administer the unemployment benefit, benefit committees shall be set up on which employers and workers shall serve in equal numbers.

The benefit committees shall decide disputes relating to unemployment benefit.

The communal inspecting authority shall decide finally on appeal.

14. At the request of a worker's organisation the paying out of the unemployment benefit and the supervision of the unemployed persons being members of such organisation shall be transferred to it, provided that

(1) its members are granted unemployment benefit under the rules of the organisation;

(2) there is adequate security that the benefit will be paid out and the unemployed persons supervised in a proper manner.

15. Provisions respecting existing institutions for providing unemployment benefit, shall be maintained in so far as they are more favourable than the present provisions.

16. Communes and groups of communes must apply for the reimbursement of their expenditure through the higher administrative authority to the Central Authority of the State: The latter shall notify the Imperial Chancellor (Imperial Treasury) of these applications, as well as of applications for sanction, for each month not later than the 15th of the following month.

The Imperial Chancellor (Imperial Treasury) shall, on request, allow particular Federal States advances on the requirements of a month.

17. The Central Authorities of the States may issue administrative regulations under this order. They may prescribe that the same local wage, fixed by themselves, shall be held to apply over uniform economic districts.

18. This order shall come into force on the day of its notification and shall remain in operation not longer than one year after that date. The Imperial Government or the authority designated by it may fix a date for the Order to go out of effect.

4. *Verordnung über Arbeiterschutz* (Nr. 6532). Vom 12. November 1918 (R. G. Bl. S. 1309).

**Order respecting labour legislation.** Dated 12th November 1918.

1. The Act respecting exceptions to the limitations on the employment of industrial workers, dated 4th August 1914 (R. G. Bl. p. 333) is repealed.

The exceptions allowed shall not apply for more than 14 days more.

2. This Order shall have the force of law and shall come into operation on its notification.



**5. Verordnung über Ausdehnung der Versicherungspflicht und Versicherungsberechtigung in der Krankenversicherung (Nr. 6541) Vom 22. November 1918 (R. G. Bl. S. 1321).**

**Order respecting the extension of compulsory insurance and the right to insurance under the sickness insurance system. Dated 22nd November 1918.**

1. Until further notice the following persons shall be insured against sickness in accordance with the Imperial Insurance Code:

- (1) Works officials, overseers and all other employees in similar superior positions, if this employment forms their chief occupation;
- (2) Commercial employees and assistants in chemists' shops;
- (3) Stage performers and members of orchestras regardless of the artistic value of their services;
- (4) Teachers and educators;
- (5) Seamen on German sea-going ships, in so far as they do not come under Sections 553—553b of the Commercial Code, and on craft engaged in inland navigation; —

if they are employed for remuneration and their regular annual earnings exceed 2500 Mk. but do not exceed 5000 Mk.

2. Sections 178, 314 par. 2 of the Imperial Insurance Code are repealed. In Section 313, par. 1, of the Imperial Insurance Code the last sentence shall read as follows:

„With the approval of the governing body of the fund, a person may be transferred to a lower class or wage grade“.

3. Any person who since the beginning of the war has left his sick fund or miners' sick fund as a result of his having passed the income limit of 2500 Mk. may demand reinstatement in such fund within 6 weeks of the coming into force of these regulations, in accordance with Section 313 of the Imperial Insurance Code, provided that he was still entitled on leaving to be further insured and is not now compulsorily insurable under Section 1.

When the person entitled to reinstatement applies to be admitted, the fund may require him to be medically examined. Sickness already existing when he re-enters the fund, shall not give him any right to claim benefits from the fund.

The provisions of paragraphs 1 and 2 shall apply by analogy to persons who have left a sick fund since the beginning of the War in pursuance of Sections 178 or 314 par. 2 of the Imperial Insurance Code.

4. Where, since the beginning of the War, persons of the groups named in Section 1 have, in spite of their having passed the income limit of 2500 Mk. still been treated by their sick fund or miners' sick fund as if they were compulsorily insured, or where persons entitled to insure have remained members of their fund in spite of their total regular annual income having exceeded 4000 Mk., their membership shall not hereafter be disputed. This shall apply also to cases where dispute proceedings were pending on the coming into force of these regulations.

5. The time limit for notifying persons for whom insurance is compulsory under Section 1 (Section 317 of the Imperial Insurance Code) shall expire not earlier than 8 days after the coming into force of these regulations. Notification may take place with effect even before these regulations come into force.

6. These regulations shall have the force of law and shall come into force on 2nd December 1918.

**6. Verordnung über die Arbeitszeit in den Bäckereien und Konditoreien (Nr. 6546) Vom 23. November 1918 (R. G. Bl. S. 1329).**

**Order respecting working hours in baking and confectionery establishments. Dated 23rd November 1918.**

1. In baking and confectionery establishments the regular daily working hours of journeymen, assistants, apprentices, and other workers must not exceed 8 hours.



On every day on which they are employed longer than 4 hours women and young persons (apprentices) must be allowed breaks amounting altogether to at least half an hour. If they are employed longer than 6 hours the breaks must amount altogether to at least one hour, and one of the breaks to at least half an hour. Stoppages of work of less than a quarter of an hour shall not be reckoned as breaks.

The provisions of Sections 1 and 2 shall apply also to journeymen, assistants, apprentices and other workers who are employed on baking and confectionery work in connection with innkeeping and public house keeping, eating houses of any kind (boarding houses, sanatoria, factory canteens), stores, mills and other industrial concerns, as well as in railway station refreshment rooms.

2. Journeymen, assistants, apprentices and other workers who are engaged on work which is necessary in order to prevent raw material or products from being spoiled or wasted may be employed beyond the time limit laid down in Section 1 in so far as this work cannot be taken in hand or finished within the regular working hours.

3. In all baking and confectionery establishments no work shall be done on a working day between 10 p. m. and 6. a. m.

During the same hours no work or preparation in connection with baking or confectionery work shall be done in inns or public houses, eating houses of any kind (boarding houses, sanatoria, factory canteens), stores, mills, and other industrial concerns; this shall also apply to railway refreshment rooms.

4. The provisions of Section 3 shall also apply to establishments engaged in the making of rusks, biscuits, crackers, honey cakes, ginger bread, waffles, or unleavened bread.

5. The authorities designated by the Central State Authorities may on request grant permission in their district or a part thereof for the eight hour cessation of work to be postponed by, at the most, one hour; such permission shall be subject to revocation.

6. On Sundays and holidays — Section 105a, paragraph 2 of the Industrial Code — no work shall be done in baking and confectionery establishments. However, after 6 p. m. (in the case of two holidays or a Sunday and holiday immediately following each other only on the second day after 6 p. m.) — such operations may be carried on for one hour as are necessary for the resumption of regular work on the following working day.

The same rule shall apply to all work and preparation in the industries connected with baking and confectionery mentioned in Section 3, paragraph 2.

Of three holidays (or a Sunday and two holidays) immediately following each other, the third day shall count as a working day.

The Central Authorities of the State may give permission in the whole State or in districts for perishable goods to be delivered during a maximum period of 3 hours on Sundays and holidays.

7. Subject to the right of revocation the Industrial Inspectors may on request:



(a) allow the working hours laid down in Section 1 to be exceeded on not more than 20 days in the year without prejudice to the provision of Section 2, if it is shown that there is an imperative need for this extension.

(b) departing from the rules contained in Sections 3 to 6, allow work to be carried out in the prescribed rest times and on Sundays and holidays where this is necessary:

- (I) in emergencies or in the public interest;
- (II) for the guarding of factory premises;
- (III) for the repair of plant, in so far as this cannot be carried out during the regular working hours without considerable disturbance to the work;

(c) agree that during fairs, annual markets and public holidays, journeymen, assistants, apprentices and other workers may be employed in baking and confectionery work beyond the period mentioned in paragraph 1 of Section 1, and, departing from the provisions of Section 3, within the appointed rest times, as well as on Sundays and holidays.

Before such permission is granted an opportunity shall be given to the workmen's committee, or, if there is no such committee, to the workers in the factory, to express their opinion of the proposal. The decision shall be communicated in writing. It may be made conditional. A copy of the decision shall be affixed in the factory in a place easily accessible to the workers.

8. Section 105b, par. 1; Section 105c., par. 1, (1) to (3); Section 105c, par. 1, (5), pars. 2 to 4; Sections 105d to 105i of the Industrial Code shall not apply to baking and confectionery establishments nor to the employments indicated in Section 3 par. 2; as regards the establishments mentioned in Section 4 the provisions contained in Section 105b to 105i of the Industrial Code shall apply.

9. In other respects, in industries concerned with baking and confectionery the provisions of the Industrial Code shall apply in so far as no special regulations are laid down in this Act.

10. Baking and confectionery establishments of co-operative and other associations shall be held to be industrial baking and confectionery establishments within the meaning of the preceding provisions.

11. Supervision over the observance of this Order shall be regulated by Section 139 b of the Industrial Code.

12. Any person who employs workers, or carries on work or allows work to be carried on, contrary to the above provisions or to orders issued by the proper authorities in pursuance thereof shall be punished by a fine not exceeding 2000 marks or, in default, by imprisonment for a period not exceeding six months.

If, at the time of the occurrence of the offence, the offender has already been twice convicted for a contravention under par. 1, a fine of from 100 to 3000 marks, or imprisonment up to 6 months, may be imposed, if the offence was deliberately committed. This rule shall not apply if three years

have intervened between the last sentence and the committing of the new offence.

13. The regulations issued in the notification of the Imperial Chancellor dated March 4th 1896 (Reichs-Gesetzbl. p. 55) regarding the management of baking and confectionery establishments are repealed, as well as the regulations contained in No. 18 of the notification issued by the Imperial Chancellor on July 13th 1900, regarding the employment of young persons and women in work places with motor power (R. G. Bl. p. 566) in so far as they relate to baking and confectionery establishments, and Section 9 of the notification issued by the Imperial Chancellor on May 26th 1916 regarding the preparation of bread and cakes (R. G. Bl. p. 411).

14. The Imperial Labour Office may issue provisions regarding the carrying out of this Order.

15. This order shall have the force of law. It shall come into force on December 15th 1918.

*7. Anordnung über die Regelung der Arbeitszeit gewerblicher Arbeiter* (Nr. 6548). Vom 23. November 1918 (R. G. Bl. S. 1334).

**Regulations respecting the hours of work of industrial workers.**  
Dated 23rd November 1918.

In pursuance of the Decree of the Council of the People's Commissioner's respecting the establishment of the Imperial Board of Economic Demobilisation (Demobilisation Board), dated 12th November 1918 \*). (R. G. Bl. p. 1304), the following regulations respecting the hours of work of industrial workers are hereby issued:

I. These regulations shall apply to industrial workers in all industrial undertakings including mines, in works owned by the Empire, the States, the communes and groups of communes, even when they are not conducted for profit-making purposes, and also in undertakings of an industrial nature subsidiary to agriculture.

II. The regular daily hours of work exclusive of breaks shall not exceed 8 hours. Where, by agreement, a reduction of hours on Saturdays and the eves of festivals is introduced, the residue of the hours of work on those days may be distributed amongst the remaining days of the week.

III. Agreements shall be come to without delay between the management and the workers' associations on the matter of general exceptions to the present regulations necessitated by considerations of time in undertakings in the carrying trade, including the railway, post and telegraph administrations. If no such agreements are come to within 2 weeks, further regulations may be issued.

IV. In undertakings where, from their nature, the work cannot be interrupted or in which continuous Sunday work is at present necessary in the public interest, for the purpose of effecting a regular weekly change of shift, male workers over 16 years of age may be employed once in a period of 3 weeks on a shift not exceeding 16 hours inclusive of breaks, provided

---

\*) Title E. B. XIII, p. 2, No. 2.



that they are allowed twice in those 3 weeks an uninterrupted rest of 24 hours on each occasion.

V. Contrary to the general provisions of the Industrial Code, women workers over 16 years of age may be employed up to 10 p. m. in undertakings where two or more shifts are worked, provided that after their hours of work they are allowed an uninterrupted period of rest of at least 16 hours. In these cases instead of one hour's break at midday, a break of half an hour may be allowed, which shall be reckoned as part of the hours of work.

VI. These provisions shall not apply to temporary work which must be carried out immediately in emergencies.

VII. In undertakings where, from their nature, the work cannot be interrupted or which must, in the public interest, be kept in operation without limitation, arrangements deviating from the preceding provisions and subject to revocation may be allowed by the competent industrial inspectors or in the case of mining undertakings by the district mining officials, if the necessary number of suitable workers is not available. For this purpose it shall be necessary for the employer to make application, and for the workers' committee (or in the absence of such committee the workers of the undertaking) to declare their approval, unless agreements have been come to between the employers' and workers' associations concerned. Where, in the case of the said undertakings, more far-reaching agreements respecting exceptions to the limitations upon the employment of industrial workers, have been concluded by contracts between employers' and workers' associations, the industrial inspectors or the district mining officials, as the case may be, may allow, subject to revocation, further exceptions corresponding to these contracts. The said officials, after issuing their permits, shall notify the workers' employment office competent to act for the undertaking immediately of the shortage of workers for the undertaking in question. Permits issued shall be notified to the competent demobilisation commissioner.

The latter shall have power to require the said officials to revoke their permits.

VIII. The beginning and end of the hours of work and of the breaks shall, in the absence of any collective agreement on the matter, be fixed in accordance with the preceding provisions by the employer in agreement with the workers' committee, or in the absence of any such committee with the workers of the undertaking, and shall be published by being posted up in the works.

IX. Supervision over the observance of these provisions shall be exercised by the industrial inspectors or district mining officials, as the case may be. For this purpose, they may negotiate with the workers' committees in the presence of the employer or with the two parties separately, and they may accordingly convene meetings of the workers' committees.

X. Any person who contravenes these provisions or the regulations issued in pursuance of the same shall be punishable by a fine not exceeding 2000 marks and in default by imprisonment for a term not exceeding 6 months.

If the offender at the time when the offence was committed had already been punished for a contravention under paragraph 1, he shall, if he committed the offence deliberately, be punishable by a fine of from 100 to 3000 marks, or by imprisonment for a term not exceeding 6 months.

XI. The Imperial and State laws and regulations issued in pursuance thereof shall remain in operation as before, in so far as they are not contrary to the present regulations.

XII. These regulations shall come into force on the day of their notification.

8. *Verordnung über Tarifverträge, Arbeiter- und Angestelltenausschüsse und Schlichtung von Arbeitsstreitigkeiten.* (Nr. 6605) Vom 23. Dezember 1918 (R. G. Bl. S. 1456).

Order respecting collective agreements, workers' and employees' committees and the settlement of industrial disputes. Dated 23rd December 1918.

(The Text of the Order is printed in the German Edition of the Bulletin Vol. XVII p. 182).

## II. German Austria.

1. *Gesetz über die Einführung des achtstündigen Arbeitstages in fabrikmässig betriebenen Gewerbeunternehmungen.* Nr. 138. Vom 19. Dez. 1918. (Staatsgesetzblatt für den Staat Deutsch-Oesterreich 1918, 31. Stück, S. 221.)

**Act respecting the introduction of the Eight Hour Day in industrial undertakings carried on as factories.** Dated 19th December 1918.

The Provisional National Assembly of the State of German-Austria resolves as follows:

1. (1) From the commencement of this Act until the conclusion of peace the hours of work of industrial workers in industrial undertakings carried on as factories shall not exceed 8 hours in 24, not including breaks in work.

(2) This rule shall also apply to undertakings, the occupier of which is a corporation, especially the State, a province or commune, provided that the undertaking would have been held to be carried on as a factory if it had been subject to the Industrial Code. In case of doubt the State Department for Social Welfare, after consultation with the Advisory Council, provided in Section 6, shall decide.

2. In undertakings of the kind designated in Section 1, the hours of work of young persons and women shall not exceed 44 in a week and shall terminate on Saturdays at 12 midday.

3. The hours of work of workers may be extended on merely giving notice to the industrial authority of first instance, provided that this is necessary in order to make good an interruption of work which could not be foreseen and does not periodically recur.

4 (1) In addition, the Industrial Authority of first instance may allow particular industrial undertakings to extend the hours of work of the workers they employ up to not more than 10 hours a day for a period not exceeding



three weeks in order to meet an increased press of work; this shall apply in particular to industries subject to the influence of the seasons (Seasonal Industries). If the hours of work are not extended on more than three days in a month it shall be merely necessary to notify the said authority.

(2) The notification contemplated in Sections 3 and 4 shall be presented within 24 hours of the time when the extension of the hours of work begins. The notice shall be held to be presented when it is posted.

5 (1) The rule contained in Section 1 shall not apply if the hours of work of the industrial workers in any working week are fixed by a collective contract at not more than 48 hours. In this case Sections 3 and 4 shall apply provided that the usual daily hours of work shall take the place of the eight hour day.

(2) A collective contract within the meaning of Sub-section (1) shall be every agreement concluded between an association of workers and one or more employers or an association of employers, and which regulates the mutual rights and duties arising from the working conditions and other matters affecting conditions of work.

6 (1) The State Department for Social Welfare, after consultation with an Advisory Council composed of equal numbers of employers and workers, may, by Order, allow further exceptions to the provisions of this Act for particular groups of industrial undertakings, subject, if necessary, to conditions which must be observed if the hours of work are extended.

(2) The members of the Advisory Council shall be nominated by the Secretary of State for Social Welfare. Representatives of the State Departments for Commerce, Trade, and Industry, and for War and Trade during the Transition period (Uebergangswirtschaft) as well as representatives of the Central Industrial Inspectorate, shall be invited to attend the sittings of the Advisory Council.

7. The provisions of Sections 1 to 5 shall not apply to subsidiary processes which must precede or follow the actual manufacturing processes of the undertaking (heating boilers, cleaning etc.), provided that these operations are not performed by young workers. These subsidiary processes shall be paid for as overtime (Section 8).

8. Overtime, being an extension of the hours of work of industrial workers beyond the limit provided in Sections 1, 2 and 5, shall be remunerated at a rate at least 50 per cent higher than for the normal hours of work. If piece-work is agreed upon, the hourly rate shall be held to be the average earned in one hour taken over the working week.

9. Contraventions of the provisions of this Act shall be punished in accordance with the penal provisions of the Industrial Code. While this Act is in operation Section 96a of the Industrial Code shall cease to have effect.

10. This Act shall come into force 15 days after its notification. The State Council shall decide which shall be held to be the date, on the conclusion of peace, on which the operation of this Act shall cease.

In pursuance of Section 7 of the Resolution of the Provisional National Assembly of 30th October, 1918. respecting the constitutional establishment

of the State authority, it shall be proclaimed that the above resolution of the Provisional National Assembly was adopted on 19th December 1918.

2. *Gesetz über die Regelung der Arbeits- und Lohnverhältnisse in der Heimarbeit.* Vom 19. Dezember 1918 (Nr. 140). (Staatsgesetzblatt 1918, 32. Stück, S. 225).

**Act respecting the regulation of conditions of work and wages in home work.** Dated 19th December 1918.

### *I. General Provisions.*

#### 1. Within the meaning of this Act

(a) Home workers shall mean persons who, without being the owners of industrial undertakings within the meaning of the Industrial Code, are employed in the manufacture and preparation of goods outside the business premises of their employers;

(b) Middlemen (job masters) shall mean the owners of industrial undertakings where the goods are made by home work if they are occupied in the manufacture or preparation of these goods on account of contractors; in this connection it shall be immaterial whether they themselves contribute to the material to be made up wholly or in part or if they incidentally work for customers;

(c) Workshop assistants shall mean those industrial workers (Section 73 of the Industrial Code) who are employed by middlemen or contractors in their work;

(d) Contractors (manufacturers, dealers) shall mean persons for whom goods are manufactured through middlemen or home workers either directly or through intermediaries;

(e) Intermediaries (factors) shall mean persons employed by contractors in their dealings with the home workers and middlemen.

2. (1) The State Department for Social Welfare shall issue any more detailed provisions that may be necessary in respect of the particular branches of manufacture where goods are made by home work, in order to define exactly according to the circumstances of the trade who shall be held to be home workers, middlemen, workshop assistants, contractors and intermediaries within the meaning of this Act.

(2) The industrial authority within the meaning of this Act shall always be held to mean the industrial authority of first instance.

3. Contractors for whom goods are manufactured by middlemen or home workers, even if intermediaries are employed, shall notify the industrial authority acting for the district in which their undertaking is situated.

4. Intermediaries and middlemen who employ home workers or workshop assistants shall be obliged to give notice likewise.

5. All persons giving out work (contractors, middlemen, intermediaries) shall be bound to keep a current, correct list of the intermediaries and workers (middlemen, home workers) employed by them. The same duty shall rest upon middlemen as regards the workshop assistants employed by them.

6. These lists shall be submitted to the industrial authority and the industrial inspector on demand. More detailed provisions respecting the keeping and official use of these lists shall be issued by the State Department



for Social Welfare; in this connection care shall be taken to see that the lists provide the necessary basis for the exercise of industrial supervision, the carrying out of sickness insurance and the compilation of statistics of home work.

## *II. Publication of Conditions of Work and Wages: Particulars Books.*

7. (1) Any person who gives out work directly to middlemen or home workers shall give notice to the workers of the terms on which the work is given out and is to be delivered, the manner of calculating and the amount of the wages, and if necessary the prices of the goods supplied, the material to be provided by the home worker or middlemen, the manner of calculating the same, the cases in which deductions are to be made and the amount of the latter; these conditions shall be kept posted up conspicuously in the rooms in which the work is given out, the finished goods are delivered, or payment is made.

(2) Immediately the notice is posted up or any alteration is made in it, two identical copies shall be submitted to the industrial authority who shall see in particular that in the published conditions of work and wages any determinations in operation (Section 26—32) are not contravened, unless the conditions of work in question are regulated by collective contracts (Section 31) or by agreements of trade guilds. (§ 32).

(3) These rules shall not apply to work in preparing samples and especially skilled pieces of individual work.

8. The obligation to give notice of conditions of wages and work contemplated in Section 7 shall rest also upon middlemen in respect of the workshop assistants employed by them.

9. Any person who gives out work direct to middlemen or home workers shall provide them at his own cost with particulars books. The employer shall enter in the particulars books: the nature and quantity of the work given out; the date on which the work was given out and returned; the terms agreed upon as regards the reckoning of wages and the deduction of materials provided by the worker; and finally, the amount of wages paid. More detailed provisions as regards the form and contents of these particulars books shall be issued by the State Department for Social Welfare. The particulars books shall be kept by the worker and produced to the industrial authority and the industrial inspector on demand.

10. The State Department for Social Welfare may, in agreement with the State Department for Industry and Trade, allow exceptions to the provisions of Sections 7—9 for particular branches of manufacture in home work and for particular groups of employers and workers. If a Central Homework Commission (Section 16) has been established for the branch of manufacture for which the exception is contemplated the said Commission must first be consulted.

## *III. Special Protective Regulations.*

11. Home workers shall not employ assistants or apprentices in their dwellings or workshops. This prohibition shall not apply to the members of the home worker's family.

12. On days in which the full hours of work permitted by law or by contract have been worked in the workshop the employer shall not give out any work to be done outside the workshop. Work shall only be given out in so far as the work done in the workshop and the home together does not exceed the maximum period of employment.

13. Where a higher standard of protective legislation is laid down in other laws such provisions shall not be affected by this Act.

14. The right of industrial inspection shall cover working conditions of home workers and all places in which home workers work, or in which work is given out to them or they return the finished goods.

15. The State Department for Social Welfare, after consultation with the Chambers of Commerce and Industry, in agreement with the State Department for Industry and Commerce and the State Department for Public Health, may issue special regulations for branches of manufacture carried on by home work in which the nature of the process involves a risk to the health of the home worker or to the consumers of the goods. Any person may be made responsible for the observance of these regulations who gives out work either directly or indirectly to middlemen or home workers.

#### *IV. Central Homework Commissions.*

##### *A. Appointment and Composition.*

16. The State Department for Social Welfare, in agreement with the State Department for Industry and Commerce and the State Department for Public Health, shall establish a Central Homework Commission for every branch of manufacture where goods are made by home work.

17. It shall be the duty of these Commissions to regulate the conditions of wages and work of persons employed in their branches of manufacture; they shall also have the duty of reporting on all questions touching these regulations and of making proposals to the State Department for Social Welfare. They may undertake the investigations necessary to carry out these duties.

18. The technical scope of the different branches of manufacture shall be defined by the State Department for Social Welfare. In deciding upon the headquarters of a Central Homework Commission the local distribution of the industry shall be taken into consideration.

19. Central Homework Commissions shall be established immediately this Act comes into operation for the manufacture of clothing, shoes and underclothing by means of home work; Commissions shall be established for other branches of manufacture carried on by home work in accordance with the decision of the State Department for Social Welfare.

20. Except as regards the exceptions contemplated in Section 21 (d) the members of the Central Homework Commission shall be nominated by the Secretary of State for Social Welfare. There shall be at least nine members on each Commission. A substitute shall be appointed for each member, who shall take the place of the member if he is prevented from attending or if he resigns.

21. The following principles shall apply as regards the appointment of the members (substitutes):



(a) There shall be an equal number of representatives of contractors (Section 1 (d)) and of home workers (Section 1 (a)) in the branch of manufacture concerned on each Commission.

(b) If it is customary in the trade to give out contracts to middlemen (Section 1 (b)) these persons shall be given suitable representation; the same shall apply as far as necessary as regards workshop assistants (Section 1 (c)) and intermediaries (Section 1 (e)) who are employed by the contractor in his dealings with middlemen or home workers. The number of representatives taken from the ranks of middlemen, workshop assistants and intermediaries shall not exceed the total number of members selected from the ranks of contractors and home workers.

(c) Before the members contemplated under (a) and (b) above are appointed, the Chambers of Commerce and Industry concerned, the governing bodies and committees of assistants of the trade guilds of the industry and organisations interested in the regulation of home work in the branches of industry concerned, shall be invited to make nominations. This right to make nominations shall expire if it is not exercised within a reasonable time limit to be fixed on each occasion.

(d) Other persons shall be appointed to the Commissions in numbers equal to those of the representatives of the groups named under (a) who, without belonging to the groups named under (a) and (b), possess the necessary knowledge and capacity to judge of the conditions of giving out work, wages and employment in the branches of manufacture concerned. One of these members shall be nominated by the Secretary of State for Public Health.

22. (1) The term of office of the commissions shall be three years. Members (substitutes) of the groups named under (a) and (b) of Section 21 shall be removed from office if such a change takes place in their occupation that they can no longer properly represent the group concerned.

(2) A member (substitute) can be dismissed if he continually neglects his duties.

23. A Central Homework Commission may pass resolutions if at least two-thirds of its members or their substitutes are present. The resolutions shall be adopted by a majority; in the case of equality of votes the President shall decide.

24. The presiding officers of Central Homework Commissions and their deputies shall be appointed by the Secretary of State for Social Welfare from amongst the members.

25. (1) More detailed provisions respecting the standing orders of the Commissions and the remuneration of the members shall be issued by the State Department for Social Welfare.

(2) The State Department for Social Welfare shall provide the office requirements of the Central Homework Commissions.

## B. Fixing of Conditions of Wages and Work.

26. Every Central Homework Commission may fix, with the force of law, minimum rates of wages for the home workers and workshop assistants in the branches of manufacture coming within their jurisdiction and mini-

mum prices for the goods to be delivered from middlemen and home workers to the person giving out the work. The Commissions shall take into consideration especially differences in local conditions and the mutual competition of the branches of industry making the goods in question. They may in addition regulate in other respects conditions of work and for the delivery of work.

27. Where local homework commissions have been established (Sections 33 and ff.) for a branch of manufacture, the Central Commission shall take the proposals of the local commission as the basis for their discussions and shall invite the presidents of the latter to attend their meetings.

28. (1) The president of the Central Homework Commission shall present the resolutions adopted in conformity with Sections 26 and 27 to the State Department for Social Welfare for ratification.

(2) Ratified resolutions shall be published and shall come into force one month after their publication unless they themselves contain provisions as regards the date of coming into operation. They shall be known as „determinations.“

(3) Existing agreements, except as regards the exceptions contemplated in Section 31, shall cease to be valid in so far as they are contrary to a determination.

29. The provisions of Sections 26—28 shall apply to the revoking or amendment of determinations. Discussions for this purpose may be instituted by the president of the Central Homework Commission at any time. They shall be entered upon immediately if instructions to this effect are received from the State Department for Social Welfare or if an application is made by all the members of one of the groups represented on the Commission (Section 21 a. b. c.) or by a local commission.

### C. Provisions respecting Collective Contracts.

30. Where agreements have been made between associations of employers and workers in a branch of manufacture for which Central Homework Commissions have been established respecting the wages of the workers, the prices at which goods are to be delivered and their conditions of work (collective contracts), the competent Central Homework Commission may declare these contracts to be determinations and shall define their sphere of operation in accordance with the provisions of Sections 26—28.

31. If the Central Homework Commission fails to issue a decision under Section 30 the provisions of the collective contract concerned shall, in the absence of any express agreement to the contrary, be held to be a component part of any contract concluded between the members of the associations which are parties to the collective contract as regards the work designated in the collective contracts. The provisions of a collective contract of this kind shall remain in operation for the persons concerned and shall maintain their validity in respect of the parties concerned even where they are contrary to the terms of a determination. On the other hand, in so far as the parties deviate from the provisions of the collective contract in individual agreements the terms of the determination shall apply.



32. The provisions of Sections 30 and 31 shall apply also to agreements concerning conditions of work and wages drawn up by trade guilds in accordance with Section 114b. of the Industrial Code.

#### *V. Local Homework Commissions.*

##### *A. Appointment and Composition.*

33. The State Department for Social Welfare in agreement with the State Department for Industry and Commerce may order that local homework commissions shall be set up for those branches of manufacture for which a Central Homework Commission has been established in the particular branches of manufacture of the goods in question.

34. The trades and localities to be included in the sphere of these local homework commissions shall be determined in each case. The provisions of Sections 21 and 22 shall apply to their composition and duties except that the nomination of members and substitutes shall rest with the competent Provincial Governments who shall also appoint the president and his deputy.

35. (1) The provisions of Section 23 shall apply to local homework commissions. The president of the competent Central Homework Commission and the members of the latter designated by him may attend the meetings of the local homework commissions in an advisory capacity.

(2) The competent Provincial Government shall provide the office requirements of the local homework commissions.

##### *B. Duties.*

36. It shall be the duty of local homework commissions to make proposals to the competent Central Homework Commission for their district as regards the provisions of determinations (Sections 26 and 27), the terms of collective agreements (Sections 30 and 31) and of agreements made by trade guilds (Section 32). It shall also be incumbent upon them to report upon all questions touching the regulation of homework in their branch of manufacture, and to make proposals to the competent Central Homework Commission and to the authorities and the compulsory associations concerned in their district. They may undertake the investigations necessary for carrying out these duties.

37. (1) Discussions on the question of issuing or modifying determinations may be instituted at any time by the president of the commission. They shall be entered upon immediately if instructions to this effect are issued by the competent political provincial authority or a request is made to this effect by the competent Central Homework Commission or all the members of one of the groups represented on the commission (Section 21. a. b. d.) so request.

(2) The president shall submit to the competent Central Homework Commission without delay all resolutions adopted, as well as proposals supported only by a minority.

38. It shall in addition be the duty of local homework commissions to prepare the way for good relations between the particular groups of workers and employers in their district in the case of disputes rising from conditions of work and wages in their branch of manufacture.

39. (1) If a request to this effect is made by one of the parties to the dispute to the president of the commission, or if the industrial authority or the competent industrial inspectorate so requires, the commission must elucidate the dispute and the questions in dispute as far as possible by consulting the parties or their representatives or any other persons having expert information. Should the commission fail to bring about an agreement it shall order conciliation proceedings to be instituted for which purpose at least two-thirds of the members of the commission or their substitutes must be present.

(2) The president may in his discretion invite other persons also to attend these proceedings in an advisory capacity if their participation is likely to promote a settlement.

40. Each of the parties may appear in person or accompanied by authorised representatives at the proceedings or may be represented by authorised persons. The party shall be represented if it consists of a large number of persons. The commission shall decide as regards the number of representatives who shall be permitted and their credentials.

41. (1) The proceedings before the commission shall take place in private and if one of the parties refuses to take part in the proceedings or is absent without excuse the proceedings shall be suspended.

(2) If an agreement is come to, the terms of the same shall be published together with the names of the members of the commission who took part and the representatives of the parties.

(3) If no agreement is come to, the commission shall issue an award which shall be notified to the parties with instructions to declare within fourteen days whether they submit to the award. On the conclusion of this period the terms of the award and the result of the application addressed to the parties shall be published with the names of the representatives of the parties and the members of the commission taking part in the decision.

(4) If no agreement is come to and no award is issued this result shall also be published with a statement of the reasons.

42. Communes situated within the district of a conciliation board shall be bound on the demand of the president of the commission to publish the notices contemplated in the preceding sections in the manner usual for making communal announcements.

43. The president of the commission shall report the result of the proceedings to the competent Central Homework Commission. The provisions respecting the treatment of collective contracts (Sections 30 and 31) shall apply to agreements concluded in pursuance of Section 39 and 41 subsection 2. The same shall apply in respect of awards to which the parties have submitted.

#### *VI. Responsibility of the Employer; Penal and Concluding Provisions.*

44. Agreements between the parties which provide for the worker (middleman, home worker, workshop assistant) conditions less favourable than those notified to the workers in pursuance of Sections 7 and 8 and posted up shall be unlawful. Any worker suffering loss through such agreements



shall have the right to claim from the employer the reimbursement of the amount thus lost.

45. If the determinations in operation in pursuance of Sections 26 to 32 are contravened in such a way that the conditions of wages and work of the workers (home workers, middlemen, workshop assistants, intermediaries) are less favourable than those prescribed in the determinations, the workers concerned may demand from their employer the reimbursement of the amounts lost in consequence. The Contractor (Section 1) shall be responsible in this case without sharing the responsibility with the intermediaries he employs.

46. Claims for reimbursement within the meaning of Sections 44 and 45 shall expire unless they are made good within one year from the expiry of the day on which they could first be raised.

47. (1) Contraventions of the provisions contained in this Act and breaches of the determinations in operation in pursuance of Section 26 to 32, committed by the employer or the person giving out the work, shall be punished in accordance with the provisions of the Industrial Code.

(2) Intermediaries who, regardless of repeated convictions, are found again guilty of contravening the provisions of this Act or of the determinations may be prohibited from working as intermediaries in the branch of manufacture concerned for all time or for a specified term. Contraventions of this prohibition shall be punished in accordance with the penal provisions of the Industrial Code.

48. This Act shall come into operation six months after its notification.

49. The State Department for Social Welfare in agreement with the other State Departments concerned is entrusted with the carrying out of this Act.

3. *Gesetz über die Kinderarbeit.* Vom 19. Dezember 1918. (Nr. 141). (Staatsgesetzblatt 1918, 32. Stück, S. 31).

**Act respecting Child Labour.** Dated 19th December, 1918.

1. (Scope of the Act). Children within the meaning of this Act, that is boys and girls under fourteen years of age, shall only be employed or otherwise occupied in pursuance of this Act (Child Labour).

2. (Definition of Child Labour).

(1) Child labour shall mean the employment of children in work of any kind for which remuneration is paid or which is carried on regularly even if it is not specially remunerated.

(2) The employment of children exclusively for purposes of instruction or education shall not be held to be child labour; nor shall the employment of children in isolated services or the employment of a person's own children (Section 3) in light work of a short duration in the household even when carried on regularly.

(3) When in this Act reference is made to the employment of children this shall mean employment on child labour.

3. (The employer's own children and strange children).

(1) A person's own children within the meaning of this Act shall mean children who live in the household of the person who employs them and

who are related by blood or marriage within the fourth degree, or who are adopted children or wards.

(2) All other children shall be held to be strange children.

4. (General limitation). Children shall only be employed or otherwise occupied in so far as their health is not injured thereby nor their physical and mental development or their morals endangered, and the carrying out of their compulsory school attendance is not prevented.

5. (Prohibited work-places and occupations). Children shall not be employed or otherwise occupied in the work-places included in the appended schedule, and they shall not work at the occupations there specified. The State Council may extend this schedule and add other more far-reaching limitations on the employment and other occupation of children.

6. (Protection of wages).

(1) In so far as the wages paid for the work of strange children (Section 3) consists in money nothing shall be deducted therefrom, except the cost of lodging, clothing, board and school requisites. The prices deducted for these purposes shall not exceed the cost of procuring the same.

(2) It shall not be lawful to give children alcoholic drinks as remuneration for their work. They shall not be given any alcoholic drinks and tobacco during or in connection with their work.

7. (Age limit for the employment of children). No child shall be employed under the age of twelve years. Only in agriculture and domestic work children may be employed on light work as soon as they are ten years of age.

8. (Night's rest).

(1) In agriculture and domestic work children must be allowed an uninterrupted rest at night of ten hours in the winter (in the months of October to March inclusive) and nine hours in summer (in the months of April to September inclusive). In winter the hours between 8 p. m. and 6 a. m. and in summer the hours between 8 p. m. and 5 a. m. shall be the hours of the night's rest; the provincial governments may allow deviations from this rule without reducing the legally prescribed length of the uninterrupted night's rest.

(2) In the other branches of child labour the employment of children between 8 p. m. and 7 a. m. shall be prohibited.

9. (Employment on school days and holidays. Sunday rest).

(1) On school days children shall not be employed more than three hours. Employment before morning school and during the two hours immediately preceding afternoon school shall be prohibited. In agriculture and domestic work the prohibition shall extend in general to the two hours immediately preceding school. After school one hour's leisure shall be allowed.

(2) On holidays children shall not be employed for more than four hours or in agriculture or domestic work not more than six hours.

(3) Employment on Sundays and on the festivals celebrated in the child's faith shall be prohibited.

10. (Exceptions).

(1) The rules respecting the night's rest, the limitation of hours of work and Sunday and holiday rest (Section 8 and 9) shall not apply to work



of a temporary nature which cannot be postponed and which must be undertaken in the public interest or in emergencies (in agriculture especially to save the crops).

(2) Children may also be employed on Sundays and festivals in agriculture and domestic work on regular operations which cannot be postponed.

11. (Employment in hotels and public houses). In hotels and public houses children shall not be employed in serving drinks and waiting upon customers.

12. (Employment in public entertainments). In public entertainments and shows children shall not be employed or otherwise occupied. When the special interests of education, art or science are in question the district school authority may allow an exception in individual cases after consultation with the school managers, and also from the observance of the prohibition of night work prescribed in Sections 8 and 9.

13. (Employment of children in home work). The provisions of Section 74 of the Industrial Code shall apply to work rooms in which children are employed on home work.

14. (Contributions from public funds). Contributions from public funds granted to impecunious persons in view of their renunciation of the right to employ their children shall not be held to be poor relief.

15. (Notification of the employment of strange children).

(1) Any person who employs strange children shall without delay notify the communal authority of his address, the nature of the undertaking and employment, and of the place where the child is to be employed.

(2) He shall keep a current, correct list of children employed and hold it ready for inspection by the proper supervising authorities at any time.

(3) In the case of child labour in agriculture, the obligation to give notice and to keep a list shall not arise unless the employment lasts longer than two consecutive weeks.

16. (Labour cards).

(1) Any person who wishes to employ strange children — in agriculture, if the employment is to last longer than two consecutive weeks — shall apply in advance to the communal authority for a special labour card for each child. The labour cards shall be made out without fee and free from stamp duty by the communal authority of the child's place of residence after consultation with his legal representative and the competent school manager.

(2) Each labour card shall be issued for one year only; if the employment is to extend longer, application must be made for its renewal before the conclusion of the year.

(3) If the communal authority or the school manager consulted is in doubt as to whether the child is physically or mentally suited to the work in question, the employer shall cause the child to be examined by a medical official at his own expense.

(4) A labour card shall not be issued if, in the opinion of the school manager or the medical man, the work would be injurious to the morals or the physical or mental development of the child, or when such injury is to be feared in view of the person of the employer. Appeals against the refusal

to issue a card may be made within 14 days to the political authority above the communal authority; the said political authority shall decide finally.

(5) The employer shall keep the labour cards during the child's employment and produce them to the proper supervising authorities (Section 17) on demand. When the employment ceases or the employed child reaches an age above that prescribed, the card shall be handed to the child's legal representative or deposited with the council authority.

(6) More detailed provisions respecting the form and contents of the labour cards shall be issued by the State Department for Social Welfare.

(7) The provisions of the Industrial Code respecting labour books shall not be affected by these provisions.

#### 17. (Supervision).

(1) The observance of the provisions of this Act shall be supervised by the political authorities of first instance. In addition, special inspectors shall be appointed to supervise child labour, whose duty it shall be above all to inspect those undertakings in which children are employed. In addition the provincial governments may appoint special commissions for communes or districts to supervise child labour and to issue reports and proposals (Section 22). The co-operation of organisations for the protection of children and young persons shall be sought for the assistance of the political authorities and the inspectors. More detailed provisions shall be issued by the State Department for Social Welfare.

(2) The industrial authorities, school managers and Boards of Guardians and the industrial inspectors shall be bound to assist within the sphere of their duties all inspecting authorities in fulfilling their duties in the matter of child labour.

(3) Teachers in public and private schools, medical men, ministers and bodies concerned in the public and private care of the young, the officials of all societies and other corporations in whose sphere questions concerning the care of the young are included in the widest sense, shall have the special duty of notifying the competent authorities and bodies of any contraventions of the provisions of this Act; at the demand of the political authorities they shall be required to provide information respecting child labour in general and particular cases of the employment of children.

(4) Should abuses come to the knowledge of the political authorities they shall take the necessary steps to remove them. They may withdraw labour cards, prohibit the employment of a child or adapt such employment to particular conditions and if necessary institute penal proceedings.

#### 18. (Penal provisions).

(1) Contraventions of the provisions of this Act shall, unless they are subject to a more severe penalty under other Acts, be punished by the political authorities by fines not exceeding 1000 Kr. or by imprisonment for not more than three months; or the illegal employment of a person's own child, by a warning or in aggravating circumstances, by fines not exceeding 300 Kr. or imprisonment for a term not exceeding 14 days.

(2) Any person who instigates another to contravene this Act or co-operates in such contravention shall be liable to the same penalties as the person who permits the contravention.



(3) The alternative punishment in case of default in the payment of a fine shall not exceed the maximum of the corresponding penalty of imprisonment.

(4) The political authority may prohibit the offender from employing strange children for a specified time or for all time.

(5) They may also prohibit persons from employing strange children who have been punished by a court for punishable acts against morality, or on account of injury caused to or acts endangering minors or young persons, or by the industrial authority for illegal employment or treatment of children. Contraventions of such prohibitions shall be punished in the same manner as contraventions of the prohibitions contained in this Act.

(6) The Boards of Guardians within whose jurisdiction the injured child comes shall be notified of every conviction for a contravention of this Act.

19. (Application of the fines). The fines imposed under this Act shall be paid to the commune within which the offender lives and shall be devoted to purposes in connection with the public care of the young.

20. (Exemption from penalties). Prosecutions for contraventions of this Act shall lapse without further conditions if the guilty party is not examined within six months from the commission of the offence or if six months have elapsed since the last investigation proceedings.

21. (Agreements with other States). The Government may conclude agreements with other States in order to ensure the application of the provisions of this Act abroad.

22. (Date of Commencement, Transitory provisions, Exceptions).

(1) This Act shall come into operation three months after its promulgation. During the first year of its operation the provincial governments may, in so far as there are no other provisions to the contrary, allow exemptions from the observance of this Act which are necessitated by compelling circumstances.

(2) In addition, the political authorities of first instance may, in cases specially worthy of consideration, after consultation with the local school council or the commission appointed in pursuance of Section 17, paragraph 1, allow exceptions to the provisions of Sections 7 and 9, paragraph 2, subject to the reservation contained in Section 4 as regards agriculture and domestic work.

23. (Enforcement). The State Department for Social Welfare in agreement with the other ministers concerned shall be entrusted with the enforcement of this Act.

### *Schedule.*

#### List of prohibited workplaces and occupations under § 5 of the Child Labour Act.

##### I. Prohibited workplaces.

Where distilled alcoholic drinks are served and sold in small quantities;  
distilleries; cellars; and breweries;

Workplaces for the preparation of slate goods, slates and slate-pencils, except workplaces where no processes are carried on other than colouring, painting and sticking, or the packing of slate-pencils, and the colouring, ruling and framing of school-slates;

Stone-quarries and pits;

Stone-masons', stone-cutters', stone-borers', stone polishers' workshops;

Brick works, plaster works, timber yards;

Lime burning, plaster burning;

Workplaces for the manufacture and decoration of earthenware pots, vessels and tiles;

Glass-blowers', glass-etchers', glass-polishers', glass-annealers' work-shops with the exception of glass-blowing workplaces in which glass-blowing at the lamp is alone carried on;

Works for the silvering of mirrors;

Workplaces where articles are glazed, given a metal coating by galvanic means through gilding, plating, nickeling etc., or in which articles are prepared by the galvanoplastic method;

Workplaces where lead and tin toys are painted; lead, zinc, tin, copper and brass casting shops and other metal-casting shops;

Hook-makers' and bronzers' workshops;

Workplaces in which lead, copper, zinc or alloys of these metals are prepared or used.

Metal-polishing, file-cutting, harness-making, lead-soldering works;

Fringe-knotting works;

Workplaces in which mercury is used;

Workplaces in which lead or lead compounds are made, prepared or used;

Workplaces for the preparation of explosives, fire-works, matches etc.,

Workplaces where celluloid goods are made;

Chemical works;

Flaying-houses;

Workplaces in which spun or woven materials and such-like are bleached by means of chemicals, and dye-works;

Rag-sorting workshops;

Leather-curing and leather-dressing works, tanneries;

Workplaces for the preparation of india-rubber and gutta-percha goods;

Horsehair spinning works, fur-cutting works, and other workplaces in which animal hair is prepared;

Hair and bristle-dressing works, brush and paint-brush works;

Workplaces for the preparation of mother-of-pearl;

Bakeries;

Slaughter-houses;

Works for cleaning bed-feathers;

Chemical cleaning works;

Painters', house-painters', decorators and lacquerers' workplaces;

Livery stables;

Turners' shops;

Mills;

Chimney-sweeping businesses.

## II. Prohibited occupations.

Tending power-machines and all machines, shafting and lifts driven by motor-power;

Working machines driven by hand, except winding with common hand-winders, or spooling-wheels, and tending so-called spinning-machines for the making of artificial flowers and cotton-wool fruit;

Employment in connection with winches and other similar dangerous machines;

Employment in connection with straw and fodder cutting machines;

Employment in building and earth works;

Tending apparatus in which there are liquids, steam or gases under pressure;



Oven and furnace work;  
Processes in which dust or gas is generated;  
Collecting or sorting of rags;  
Mixing or grinding of colours;  
Work in cellars;  
Stone breaking;  
Lifting, carrying and moving heavy weights;  
Wood-felling and chopping;  
Threshing;  
Reaping;  
Helping in hunting;  
Drawing nets in fishing.

### III. Brazil.

*Lei Sanitaria. No. 1596. 29 de Dezembro de 1917.* (Diario Official do Estado de São Paulo de 11 de Janeiro de 1918; Boletim de Departamento Estadual do Trabalho VI, 599.

**Health Act. Dated 29th Dezember 1917.**

[Extract.]

#### Health Commissions.

2. The number of Health Commissioners (delegados de saude) shall be 11, five of whom shall have their headquarters in the Capital and one in each of the towns of Santos, Campinas, S. Carlos, Ribeirão Preto, Guaratinguetá, and Botucatú. Of the health inspectors (inspectores sanitarios) 33 shall have their headquarters in the Capital, 6 in Santos, 3 in Campinas, 3 in Ribeirão Preto, 2 in Guaratinguetá and 2 in Botucatú.

#### Organisation of the Department of the Interior.

17. It shall be the duty of the Health Commissioners in the interior of the State:

(1) to exercise all the functions of the members of Commissioners of the Capital;

(2) to supervise, personally or through the medium of the health inspectors, hospitals, sanatoria, medical centres, hydropathic establishments, asylums, churches, hotels, factories, agricultural undertakings and their accessories, buildings and undertakings of all kinds.

18. It shall be the duty of the Inspectors of the Commissioners in the Interior:

(1) to carry out all the functions of the Inspectors of the Commissioners of the Capital;

(4) to concern themselves with the management of dispensaries, medical centres, clinical branches of district hospitals, to supervise the distribution and use of quinine and of all materials necessary for the prevention of ankylostomiasis;

#### Industrial Hygiene.

86. No factory or workshop shall be established without consultation with the Health Authority as regards the choice of a site, the construction and the arrangement of the machinery.

88. Dangerous machines which require protective appliances must correspond to an approved type and their moving parts must be fenced off.

90. In factories, the sanitary conveniences for the workers of the two sexes must be separate; there must be at least one convenience for every 50 workers in each group.

91. No persons under 12 years of age shall be employed in factories, workshops, and other industrial undertakings of any kind or on building operations.

92. Young persons between 12 and 15 years of age may be employed with the sanction of their legal representatives for not more than five hours a day on light work, which will not injure their health or interfere with their school attendance.

Sub-section. The managers of factories, workshops, or other undertakings shall at any time on the demand of the authorities produce proof of the sanction of the person responsible for the young person or his legal representative.

93. Young persons within the meaning of the preceding section shall not be admitted to work without a medical certificate showing their physical fitness and a certificate of past attendance at an elementary school.

Sub-section 1. In the absence of any such certificate, no young person shall be employed unless he actually attends the school until the conclusion of the school course, during his hours of work.

Sub-section 2. The provisions of the preceding paragraph shall apply to young persons who cannot write and read but who were already employed in any kind of work at the time when this Act is published.

94. Young persons admitted to work under Section 92 shall not :

(1) be employed in factories for the manufacture of alcoholic, distilled, or fermented drinks, or in dangerous and unhealthy industries ;

(2) attend dangerous machines, work in operations which involve a risk of accident, or carry out any work which requires special knowledge or attention on their part ;

(3) carry out work of a too heavy nature such as the conveying of materials, bales, burdens, the weight of which exceeds their strength ;

(4) be occupied in the printing or setting up of books or prints or other works which are injurious to morality ;

(5) in the case of young persons under 18 and women, they shall not under any circumstances work in factories at night.

95. Women shall not be employed in industrial undertakings of any kind during the last month of their pregnancy and the first month after their confinement.

372. Young persons who are employed at present in factories, workshops and any other industrial undertaking and who are between the ages of 14 and 15 may be given permission in pursuance of a certificate of the Health Inspector to work on normal work in operations which do not endanger their health.

## IV. Bulgaria.

1. **Act respecting holidays and Sunday rest.** Approved 7th/20th February 1911, as No. 4, and published in the State Gazette No. 36 of 17th Febr./2nd March of the same year.

2. **Act respecting the Health and Safety of Workers.** No. 25. Approved 5th/18th April 1917.

### I. General Provisions.

1. The present Act shall regulate health and safety of workers in all industrial undertakings, workshops, commercial undertakings, building undertakings and transport undertakings in the Kingdom.

Home-work on which only members of the family are employed shall not be subject to inspection unless it is classed as dangerous or unhealthy work.

Owners, managers, directors or chiefs of the institutions and undertakings named above shall be personally bound to carry out the provisions of the present Act and to see that they are observed. These provisions shall also be binding upon the workers or their parents and guardians in so far as their observance depends upon them.



The said owners, managers, directors or chiefs, shall be referred to by the common name of „employer“.

2. Every employer whose institution or undertaking comes under Section 1 shall be bound not later than 15th March every second year to hand in through the local communal authority a statement, on a form drawn up by the Ministry of Commerce, Industry and Labour, respecting the number of workers, the position of the workplace, the conditions of work etc.

The statement shall be given in, in respect of institutions and undertakings affected by the Act, immediately after the Act comes into force, and in the case of newly-opened undertakings 10 days after they are opened. In the event of the closing of an institution or undertaking the employer shall be bound to notify the Ministry of the fact with the shortest possible delay.

After the communal authorities have collected the statements they shall send them without delay to the district Labour Inspector concerned for registration and to be sent on to the Ministry of Commerce, Industry and Labour.

## II. Health and safety of the workplace.

§§ 3, 8. [Provisions for the prevention of accidents from machinery, etc. requiring workrooms to be properly lighted, ventilated and cleaned, and for the prevention of fire].

9. The workers must be provided with sufficient drinking water, suitable rooms for meals and rest and for keeping clothes, lavatories, sanitary conveniences, and any other conveniences arising from the requirements of hygiene and morality.

Where the needs and nature of the work so require, the workers must be provided with kitchens and bathrooms which shall be built and maintained in accordance with regulations.

10. The Minister for Commerce, Industry and Labour may in pursuance of a report from the Supreme Labour Council require certain employers, in places where the need is proved, to provide dwellings for their workers. These dwellings must satisfy the requirements of hygiene and morality.

Workers' dwellings shall be free from every buildings tax and from every tax and rate imposed by any State, district, or commune.

11. All buildings and apparatus in the institutions and undertakings named in Section 1 must satisfy the requirements of this Act so far as this is possible and so far as its technical organisation permits.

In case of dispute between employers and labour inspectors as regards the possibility of adapting an undertaking, the Minister for Commerce, Industry, and Labour shall decide finally after procuring a report from the Supreme Labour Council. Appeal against this decision may be made to the Supreme Administrative Court.

12. [Provisions respecting the approval of workplaces etc.]

## III. Age of Admission and Hours of Work.

13. Children who have not completed their 12th year of age shall not be employed in any institution or undertaking coming under Section 1

of this Act; nor shall children up to 14 years of age be employed if they have not completed their elementary education.

14. Young persons of both sexes who have not completed their 16th year of age shall not be employed in the following branches of manufacture: leather factories; tobacco warehouses; glass factories (except in packing and despatch departments); stereotyping; type founding; factories for the manufacture of articles from lead and lead compounds (white lead, red lead, etc.); looking glass factories (silvering department); cloth factories; workshops for preparing and sorting rags; salt mining; lime kilns; and slaughter houses.

Young persons under 16 years of age and women of any age shall not be employed as masons or tilers, or in milling or founding processes; they shall not turn vertical wheels and heavy machines with one foot, nor work on circular or other sharp mechanical tools nor in connection with vessels and apparatus which contain corrosive and other injurious and dangerous liquids and materials.

15. Young persons of either sex under 18 years of age shall not be admitted to work in tobacco factories (except in special departments for filling packets and boxes and putting on wrappers and labels); in hotels; beer houses; variety entertainments; hospitals; sanatoria; baths; emery polishing works; linen and jute weaving works; and factories for the manufacture of liquid carbonic acid.

Young persons under 18 years of age and women of any age shall not be admitted to work in mines (except light work above ground); in quarries; in tunnels; in the construction of canals; in explosive factories; in factories for alcoholic drinks and beer breweries (except in departments for packing and sticking on labels); in cement factories; in the manufacture and storing of ice; in the generation and distribution of electric power; on electric railways (except in light cleaning operations); in industrial railways: on the first processes in the preparation of bones and horns; on work in wool scouring and carding; in the preparation of gut; on work in compressed air (water pumps, caissons etc.); on steamers and in harbours.

16. [The list of dangerous and injurious trades may be extended by Order, and conditions in such trades regulated.]

17. [Young persons under 18 must have work-books containing their names, addresses, and medical certificates, etc.]

18. The daily hours of work shall not exceed eight for young persons of either sex up to 16 years of age; ten for women of any age and for young persons up to 18 years of age; and eleven for men over 18 years of age.

No young persons under 18 or women of any age shall be employed on night work. Night work shall be held to be work performed between 8. p. m. and 6 a. m.

Night work when permitted shall not be carried on for more than ten hours.

**Note:** [Shorter hours or work in shifts may be prescribed by order for undertakings where the working conditions make this necessary, and night work may be permitted to workers over 16 in emergencies, etc.]

19. The daily hours of work must be broken by three periods of rest amounting to two hours altogether at least. The midday break must amount to at least one hour.

Night work, when it is carried on for more than five hours, must be broken by an interval of one hour about midnight.

The persons employed on the night shift shall not do any work by day and, *vice versa*, the day workers shall not do any night work, unless at least twelve hours have elapsed between the day and the night work or *vice versa*.

20. Every worker shall have the right in the course of every week to a period of 36 hours uninterrupted rest, which, in industrial and building undertakings shall begin at five o'clock in the afternoon, and in the case of handicrafts at six o'clock in the afternoon. This period of rest must be allowed to all workers at the same time; it may be granted with an interruption or in vocation only in the cases provided for in the Act concerning holidays and Sunday rest.

In the institutions and undertakings coming under the present Act the Minister for Commerce, Industry, and Labour may allow Sunday work also when important needs of the State so require.

Every employer shall be bound to enter in the works' rules of his undertaking the time at which the period of rest is to be allowed to the workers.

21. Pregnant women and women after their confinement, shall not be employed for, altogether, eight weeks, one to four of which shall be before the confinement and the rest after the confinement. During this period they shall be regarded as on leave and shall receive half their wages. They may not be dismissed on account of being pregnant.

After the conclusion of their leave such women must be allowed to leave work every Saturday two hours earlier without their wages being reduced, if the infant survives.

#### IV. Hygiene and Medical Service.

22. [In every undertaking employing more than ten workers there must be a medical officer chosen and paid by the employer but appointed and dismissed by the Ministry for Commerce, Industry, and Labour. The medical officer has to supervise the health of the workers in the undertaking, and keep a health register.]

23. [A works' chemist and beds and ambulances must also be provided in certain cases.]

24. [Special municipal workers' doctors must be appointed in communes with more than 1,000 workers. In this case employers with not more than 100 workers, are not required to have their own medical officer. The workers' doctors have the right to inspect undertakings. Workers and their families have the right to free treatment in the public hospitals.]

#### V. Inspection and Penalties.

(Sections 25—34.)

#### VI. Concluding Provisions.

(Sections 35—36.)



## V. China.

1. Act respecting the emigration of workers. Dated 21st April 1918 (Monthly Labor Review VII, 158, according to the Peking Leader of 23rd April 1918.)

2. Order respecting agencies for recruiting workers. Dated 21st April 1918. (Ditto.)

## VI. Spain.

*Ley referente a la jornada mercantil.* 4 de julio 1918. (Boletin del Instituto de Reformas Sociales XV, 1, 187).

Act respecting the daily hours of work in commercial undertakings. Dated 4th July 1918.

1. An uninterrupted period rest of 12 hours every day from Monday to Saturday of each week shall be allowed to all persons who perform services on account of the occupier of a commercial undertaking in return for a remuneration in the form of daily wages, salary, or a share in profits, or for piece-wages, or without remuneration, and who come under one of the following classes:

(1). Commercial assistants in the exact sense, i. e. persons of either sex who are engaged to sell in shops, chemists' shops, stores and other similar undertakings, wholesale or retail, or to assist in the sales within such undertakings, including officework and book-keeping;

(2). Store boys, shop boys, office attendants, persons engaged in loading and cleaning operations, servants, attendants, messengers, porters, and in general all persons who perform physical labour directly in connection which a commercial undertaking; and

(3). Apprentices and voluntary workers in any of the classes named above, without prejudice to the provisions of Section 22.

2. For the purposes of the preceding Section commercial undertakings and their annexes shall be opened and closed at hours which shall be fixed by the local committees of social reform (*juntas locales de reformas sociales*), taking into consideration the different conditions in different localities and at different times of the year. The hour of closing may be postponed by half an hour on Saturday.

Agreements on this matter between employers and assistants existing on the publication of the present Act shall not need ratification.

Annexes (*locales anejos*) coming under the provisions of this Act shall be held to be rooms which have any relation with the commercial operations which are carried out in the chief premises, either in the latter itself, or connected or not connected with it, or in any other different place.

In order that messengers and porters who perform their duties outside the undertaking shall not be employed beyond the hours of work fixed under the preceding section, they shall begin their work one hour after that fixed for the opening of the undertaking and cease work one hour after that fixed for closing. In the exceptional cases named in Section 3, and in the more favourable cases designated in Section 9, the hours of work of messengers and porters shall be fixed in such a way that they do not

exceed the legal or contracted daily hours of work either within or outside the undertaking.

The special staff engaged to clean the commercial undertaking may, by agreement with the persons over them, begin their work one hour before that fixed for opening the undertaking provided that the daily hours of work fixed under this Act are not exceeded.

3. The provisions of the first paragraph of the preceding Section as regards the hours of opening and closing shall not apply in the following undertakings:

(1). Chemists' shops, shops in which surgical, orthopaedic and sanitary requirements are sold, and laboratories;

(2). Undertakers' businesses;

(3). Coffeehouses, inns, hotels, slaughter houses, fish shops, public houses, horchaterias, refreshment stalls, eating houses, which do not at the same time serve or give out alcoholic drinks, markets, bakeries, fruit shops, vegetable shops, businesses for supplying articles of consumption, dairies, hairdressers' and barbers' shops;

(4). The sale of food, drink and matches in public exhibitions, at stations, on railway trains and ships;

(5). The sale and distribution of newspapers and journals any where;

(6). Bathing establishments;

(7). Places of sale of the State tobacco and stamp company (*Compañías arrendataria de Tabacos y Timbres del Estado*).

(8). Savings' banks and pawnbrokers' businesses;

(9.) Any other undertakings similar to the above named, if they cannot be subjected to the rules laid down in Section 2 without serious injury to the public interest, and also undertakings in which the business does not require the continuous presence of the assistants or in which, from the nature of the business, such operations must take place outside the hours fixed in the said Section.

4. The exceptions contemplated in (9) of the preceding Section shall be allowed at the request of the majority of the occupiers of each guild or branch of business in a district, by the local committee for social reform or in the absence of such committee by the Mayor after hearing the opinions of the guild or the branch of business as well as of the owners of commercial undertakings and also of the commercial assistants. The persons concerned may appeal to the Minister of the Interior who shall decide after hearing the views of the Institute for Social Reform.

In case of appeal the exception shall not be valid until it has been ratified by the Minister of the Interior.

5. All exceptions under this Act, without prejudice to the rights of the persons employed in undertakings exempted from it and contained in the list given under (1) to (3) of Section 1, shall be understood in the sense that, regardless of what arrangement is agreed upon for dividing the working day, all workers shall enjoy the 12 hours' uninterrupted rest on the days from Monday to Saturday in accordance with Section 6.

6. In the cases named in (1) to (8) of Section 3, the guild or branch of business concerned, or if there is no guild, the individual owners of commercial undertakings shall decide the matter of the division of the uniform hours of work on each day in a guild, after hearing the views of the local organisation of assistants, or where there are no such organisations of the assistants in each guild or branch of business, and shall send a copy

of the decision to the labour inspector, where there is such an official, and otherwise to the local committee for social reform, or where there is no such committee either, to the Mayor. In the cases named under (9) of the same Section, the distribution of hours shall be named in each case in the permit.

If the assistants or their organisations fail to come to an agreement with the employers as regards the distribution of hours, they may appeal to the Minister of the Interior who shall decide within 30 days after hearing the views of the Institute for Social Reform, who shall be given a time limit of 15 days for the purpose.

7. A copy of the document or the permit shewing the distribution of the daily hours of work as sanctioned by the labour inspector or by the committee for social reform, or where there is no such committee by the Mayor, shall be posted up in a conspicuous place in every undertaking for which an exception is allowed.

In every case the hours of opening and closing in each such undertaking and the hours at which the various assistants or classes of assistants are to work, if the distribution of hours is effected in that way, shall be clearly indicated.

8. The provisions of Sections 1 and 2 shall not apply to undertakings of any kind:

(1). In the case of work which is necessary in order to prevent threatened damage or for the purposes of stock-taking or making up of balance sheets etc.;

(2). For a maximum period of 30 days in the year, provided that use shall not be made of this exception on more than six consecutive days. The fixing of this period shall rest with the local committee for social reform and in the absence of such a committee, with the Mayor, in accordance with the provision of Section 4, respecting the granting of exceptions.

The stock-takings or balance sheets shall be held to be those legally compulsory for all owners of commercial undertakings or commercial companies coming under the Commercial Code, and not those which the owners of commercial undertakings and companies wish to undertake on other occasions or at other times of the year for their own convenience. Such stock-takings and balance sheets shall be made in the course of the daily hours of work or on the 30 days contemplated under (2) of the present Section.

If, for the purpose of the extraordinary work contemplated in this Section, the assistants are divided into shifts, the preceding provisions shall be strictly observed.

On the other hand, if this work is performed during overtime by the same staff which carries out the ordinary work of the business, it shall be necessary for the purpose to procure the express permission of the local committee for social reform. The committee shall see that overtime shall not exceed two hours a day.

9. Where, by agreement, local custom or rules of employment conditions are laid down which are more favourable as regards periods of rest than those prescribed in the present Act, such conditions shall remain in force without being altered by the provisions of this Act, both as regards the



daily hours of work and as regards renunciation of the exceptions applicable under Section 3.

10. Persons who are in a commercial undertaking at the hour of closing may finish their business provided that not more than half an hour is needed for this purpose; notwithstanding, as a sign that the day's work has ceased all doors shall be closed from the hour of closing except one and even that shall be half closed. As soon as the work has actually come to an end, the assistants to whom this Act applies shall leave the undertaking; only the staff required to complete the business contemplated above may remain for the said half hour.

11. During the daily hours of work persons to whom this Act applies shall be granted a two hours' break for meals.

The committees for social reform shall have the duty of fixing the times of the breaks, and to decide whether the undertaking shall be closed during these breaks or not; in each case the agreements concluded on this matter between guilds and their assistants shall be observed.

12. During the hours when the undertaking is closed no goods which are the subject of trade in undertakings coming under the present Act shall be sold in public streets.

13. It shall be the duty of the inspectors of labour of the Institute for Social Reform, subject to the regulations concerning their functions, to enforce this Act as regards commercial undertakings.

It shall be the duty of the Government authorities or in their absence of the communal authorities to enforce the prohibition of sale in public streets prescribed in the preceding Section.

14. At least one copy of the present Act shall be posted up in a conspicuous place in the room or rooms in the undertaking where it is in operation.

15. Undertakings and businesses coming under the present Act shall not provide lodgings for their employees without the express sanction previously given, of the local Government authorities. No such permission shall be granted without consultation with the local committee for social reform, nor without a favourable sanitary report as regards conditions of hygiene and cleanliness in the rooms intended for the accommodation of assistants. The said rooms must be inspected half yearly by the sanitary authorities, without prejudice to the existing provisions as regards labour inspection which shall apply in full in accordance with the general rule laid down in Section 13.

Undertakings and businesses which already provide lodgings for their employees at the time when this Act is published, must procure permission within six months from the date of its publication.

16. If an employer uses the lodging accommodation of his employees for the purpose of evading the legal provisions as regards the period of rest, the assistants concerned may appeal to the local committee for social reform for the contravention to be suitably dealt with.

Appeal may be made against the decision of these committees to the Minister of the Interior in the manner provided for other cases contemplated in paragraph 2 of Section 6.

17. If an excepted undertaking, in addition to selling objects for which an exception is allowed, sells goods to which no exception applies, the exception granted shall not hold good in respect of the latter and the sale of such articles shall consequently be prohibited outside the hours normally fixed under Section 2 or Section 9.

18. The Act commonly known as the Seats Act (*Ley de la silla*) of 27th February 1912 shall apply to the male assistants coming under this Act in so far as it can be applied to them.

19. Any person who contravenes this Act shall be punished by a fine of from 25 to 250 pesetas for the first contravention. For a first repetition of the offence the fine shall be double that imposed for the first offence, and for every further repetition the fine shall be doubled without prejudice to the provisions of the Penal Code.

The definition of a repeated offence shall not depend upon the expiration of a particular time limit. As regards the imposition of the fine, existing provisions respecting the inspection of labour shall apply. The fine shall in all cases be imposed by the Government authorities; notwithstanding the declaration that it is a repeated offence must be made by the inspector of labour, where there is such an official, and in other cases by the local committee for social reform, or, in the absence of such a committee, by the Mayor.

20. If for any reason the action of the Government authorities as regards complaints of contraventions of the present Act remains without result, the parties concerned may apply to the Industrial Courts of Arbitration created by the Act of 22nd July 1912 and make use of the facilities for appeal provided in Section 48 of that Act.

21. The present Act shall come into force 3 months after its publication. The Government, after consultation with the Institute for Social Reform, shall issue the necessary administrative regulations.

22. As regards young persons employed in commercial undertakings, the provisions of Sections 2, 4, and 8 under the Act of 13th March 1900 to regulate the work of women and children, shall remain in operation with the single modification that in future the two hours' break for meals, prescribed in Section 11 of the present Act, shall take the place of the one hours' break provided in Section 2 of the above mentioned Act; in addition, the Act respecting contracts of apprenticeship of 17th July 1911 shall remain in operation.

## VII. Finland.

1. *Förordning om arbetares olycksfallsförsäkring*. Den 18 augusti 1917 (*Arbetsstatistisk Tidskrift* 1917, p. 238).

Order respecting the insurance of workers against accidents. Dated 18th August 1917.

[For German Translation, see G. B. XVII p. 21.]

2. *Förordning om sjömäns och fartygsbetjänings olycksfallförsäkring*. 18 augusti 1917 (*Arbetsstatistisk Tidskrift* 1917, p. 251).

**Order respecting the insurance of seamen against accidents.** Dated 18th August 1917.

[For German Translation, see G. B. XVII p. 29.]

3. *Förordning angående arbetet i industriella samt vissa andra yrken.* 18 augusti 1917 (Arbetsstatistisk Tidskrift 1917, 253).

**Order respecting work in industrial and certain other undertakings.** Dated 18th August 1917.

[Regulates employment of children, young persons and women in factories and workshops, building operations, railway and street construction etc., bathing establishments, loading and unloading operations; prescribes Sunday rest. For German Translation, see G. B. XVII p. 30.]

4. *Förordning angående yrkesinspektionen.* Den 18 augusti 1917. (Arbetsstatistisk Tidskrift, 1917, p. 259).

**Order respecting labour inspection.** Dated 18th August 1917.

[Prescribes inspectorial staff; and regulates their powers and duties. Requires all places subject to inspection to be visited at least once a year. For German Translation, see G. B. XVII p. 35.]

5. *Förordning angående arbetsförmedling.* Den 2 november 1917. (Författningssamling, 1917, No. 95, p. 1).

**Order respecting employment exchanges.** Dated 2nd November 1917.

[For German Translation, see G. B. XVII p. 37.]

6. *Förordning angående arbetslöshetskassor, som äga rätt til bidrag ur allmänna medel.* Den 2 november 1917. (Författningssamling 1917, No. 95, p. 4).

**Order respecting unemployment funds which have a right to a State subvention.** Dated 2nd November 1917.

[For German Translation, see G. B. XVII p. 39.]

7. *Senats beslut, innehållande ordningsregler för tryckerierna i Finland.* 25 maj 1917 (Arbetsstatistisk Tidskrift 1917, 144).

**Resolution of the Senate containing regulations for printing works in Finland.** Dated 25th May/7th June 1917.

[Extract.]

2. Floors shall not be swept during hours of work, nor shall young persons (under 18) be employed on this work; it shall be done by persons specially paid for the purpose.

4. If the type-cases are cleaned by bellows, this must be done in the open air; otherwise cases must be cleaned by suction or an apparatus that collects the dust. Cases in use must be cleaned at least every two months. Young persons shall only be employed in cleaning cases if suction apparatus is used.

8. *Senats beslut, innehållande ordningsregler för stensprängning och stenhuggning i Finland.* 25 maj 1917. (Arbetsstatistisk Tidskrift 1917, 146).

**Resolution of the Senate containing regulations for stone-blasting and stone-cutting in Finland.** Dated 25th May/7th June 1917.



9. *Senats beslut, innehållande ordningsregler för cigarr- cigaret- och tobaksfabrikerna i Finland.* 25 maj 1917. (Arbetsstatistisk Tidskrift 1917, 148).

Resolution of the Senate containing regulations for cigar, cigarette and tobacco factories in Finland. Dated 25th May/7th June 1917.

[Extract.]

2. Floors shall not be swept during working hours; nor shall young persons (under 18) be employed on this work; it shall be done by persons specially paid for the purpose.

11. Young persons shall not be employed in mixing and sifting rooms.

10. *Lag om åtta timmars arbetstid.* Den 27 november 1917. (Författningssamling, 1917, No. 103, p. 1).

Act respecting the eight hour working day. Dated 27th November 1917.\*

10a. *Lag om ändrad lydelse av 3, 11 och 12 §§ i lagen om åtta timmars arbetstid av den 27 november 1917.* Den 14 augusti 1918. (Finlands Författningssamling 1918, No. 94).

Act to amend §§ 3, 11 and 12 of the act of 27th November 1918 respecting the eight hour working day. Dated 16th August 1918.\*

This Act shall apply to:

(1) the undermentioned trades and undertakings in so far as persons other than the owner's husband, wife, or own children are employed in them:

(a) Handicrafts and factory work as well as other industrial occupations;

(b) Building, repair and upkeep of buildings, docks, railways, bridges, roads and other means of communication;

(c) Work in connection with salvage and diving;

(d) Baths and bathing-establishments;

(e) Work in connection with clearing, cleansing, draining and scavenging;

(f) Wood-felling and cutting;

(g) Raft-making and lumbering;

(h) Loading and unloading of merchandise;

(i) Commercial, office or warehouse work;

(k) Inns, hotels and cafés; as well as

(1) Industries and undertakings which are similar to the above, and

(2) the undermentioned industries and establishments in so far as employees and workers are employed in them:

(a) Railway and street traffic, postal, customs and telephonic services, and canals;

(b) Automobile traffic and jobbing;

(c) Hospitals and prisons; and

(d) Industries and establishments similar to the above.

\*) The amending Act is incorporated in the original text, in the translation here given.

The provisions of this Act shall apply also to industries or undertakings which are carried on by State, by municipalities, by parish councils, associations or institutions, even if they are not run for profit.

This Act shall not apply to domestic work or agriculture and accessory industries, or to work directly connected with agriculture.

2. Workers in the industries and undertakings mentioned under (1) of Section 1, paragraph 1, shall, with the exceptions cited in this section, not be employed on regular work longer than 8 hours in a day or 96 hours in two weeks.

If the technical character of the work or other compelling circumstances necessitate it, workers may work longer than 8 hours in a day, so long as the total of weekly hours is not increased.

In industries and undertakings where raft-making and lumbering or the loading and unloading of merchandise are carried on, as well as in office work and dairy farming and in the industries and undertakings mentioned under (2), of Section 1, paragraph 1, workers shall not be employed on regular work beyond a maximum of 192 hours in 4 weeks.

In mining and quarrying, the time taken in entering and leaving shall be included in the working time; and also, in other occupations, the journey from a starting point specified by the employer to the actual place of work as well as the return journey from the place of work to the starting point.

3. Workers over 18 years of age may be employed with their own consent on overtime beyond the limits fixed in paragraph 1 of Section 2 for a maximum period of 24 hours in 2 weeks, and beyond the limits fixed in paragraph 1, of Section 2 for a maximum period of 48 hours in 4 weeks; but in neither case shall a maximum of 200 hours in the year be exceeded; and, in addition to this, with the consent of the Inspecting Authorities, if the regular progress of the work absolutely demands it, for a maximum period of 150 hours in a year.

Overtime, beyond the daily working time, must be paid for at the rate of at least 50 <sup>0</sup>/<sub>0</sub> increase for the first two hours, and of at least 100 <sup>0</sup>/<sub>0</sub> increase for each subsequent hour.

If *force majeure*, accident or other occurrence threatens to interrupt the work or has already interrupted it, or if an interruption of work would cause damage to, or the destruction of, property, goods or raw materials, the working hours fixed in Sections 2 and 3 may be appropriately extended, in so far as the circumstances demand, but not for longer than 4 weeks. Such work shall not be included in the overtime mentioned in Section 3.

Notice of such an extension of working time shall be sent immediately by the employer to the Inspecting Authorities with an exact statement of the reason for taking such measures, as well as the commencement and the duration of the extension. After examination of the circumstances, the Inspecting Authorities may either acquiesce in the notification or take steps to limit or stop the extension.

The provisions of Section 3, paragraph 2, regarding payment for overtime may also apply in this case.

5. On Sundays workers shall be granted an uninterrupted holiday of at least 30 hours. If this is not possible, a corresponding rest shall be granted during the week.

These provisions shall not apply to the cases mentioned in Section 4, nor to those in which the technical character of the work does not permit of the complete release of special skilled workers who act as overseers.

6. If the working time in the industries and undertakings mentioned under (1) of Section 1 amounts to 8 hours a day and the work is not organised in 8 hour shifts changing regularly, at least one regular break of an hour must be allowed to the workers during their work, during which time they shall be at liberty to leave the workplace. This shall not apply however, to those workers whose presence at the workplace is necessary for the progress of the work.

If the work is organised in shifts of at most 8 hours changing regularly, the workers shall be granted a rest for meals of at least half an hour or opportunity shall be given them to take food during their working time.

Breaks for rest or meals shall not be included in working time if the workers are at liberty during these periods to absent themselves from the workplace.

7. The employer shall keep a record of the overtime work and emergency work performed, as well as of the payment made for the same, which record must be produced on the demand of the inspectors or of the workers' delegates.

The employer shall, on the demand of the workers, supply their delegates monthly with an extract from this record, free of cost.

8. In every factory and workroom falling under this Act, or at the actual place of work, the employer shall cause a copy of this Act and a notice concerning the actual division of working hours to be always accessible in a suitable place.

The division of the hours of work shall be notified to the proper inspecting authorities as promptly as possible.

9. The employer shall not extend the hours of work specified in this Act by giving out work to be done at home.

10. Supervision over the observance of this Act shall be exercised by the proper inspectors in a manner to be specially regulated.

11. If the employer, or his representative in any particular concern, undertaking or establishment, contravenes the provisions of this Act respecting working time, he shall incur a fine not exceeding 10,000 marks. If the contravention takes place in spite of a warning from the Inspecting Authorities, or if it is repeated, the fine shall be increased to an amount not exceeding 20,000 marks.

Employers or their representatives who contravene the provisions of this Act in any other manner shall incur a fine of from 25 to 1000 marks.

If the State, a municipality or a parish council, is the employer, the official responsible for the carrying out of the Act shall be punished by a fine of from 25 to 1000 marks, or, in case of repetition, by a fine not exceeding 2000 marks.

12. More detailed regulations respecting the application of this Act shall be issued by the Senate.

If the practical application of this Act cannot be carried out owing to the technical nature of the work, the time of year or other compelling cir-



cumstances, the Senate may, on the advice of the Inspecting Authorities, authorise exemptions from the provisions of this Act, on each occasion for not more than one year.

13. This Act shall come into force three months after its promulgation. The Senate may, however, on the grounds that an earlier enforcement of the Act would meet with insuperable difficulties, agree to postpone its commencement for 6 months at most.

All Acts and other regulations, contrary to this Act are hereby repealed or amended with the exception of the provisions respecting the hours of work of children.

11. *Förordning angående tillämpning av lagen om åtta timmars arbetstid av den 27 november 1917.* Den 19 augusti 1918 (Finlands Författningssamling 1918, No. 94).

**Order respecting the application of the Eight Hour Act of November 27th 1917.)\*** Dated 19th August 1918.

1. The notice mentioned in Section 8 of the Eight Hour Act regarding the division of the working hours for which forms are drawn up by the Department of Social Welfare, must contain statements as to the hours when the daily work begins and finishes, and when the intervals for rest and meals are granted.

2. Forms drawn up by the Department of Social Welfare for the purpose shall be used for regulating and keeping the records mentioned in Section 7 of the Act, regarding overtime and emergency work, as well as the payment made for the same.

3. The observance of the Act shall, in the first instance, be superintended by the Labour Inspectorate. The notifications mentioned in Sections 4 and 8 of the Act shall be sent in to the proper Labour Inspector. This official shall decide in what cases the provisions of paragraph 2 of Section 2 and of paragraph 2 of Section 5 of the Act shall apply, and shall grant the permissions mentioned in Section 3.

4. The police shall render the Inspecting Authorities the necessary assistance, and also, if necessary, take steps for the institution of proceedings.

5. Contraventions of these provisions shall be punished according to Section 11 of the Act.

12. *Finlands Senats beslut, innefattande särskilda undantag från stadgandena i lagen om åtta timmars arbetstid, given den 27 november 1917.* Den 19 augusti 1918 (Finlands Författningssamling 1918, No. 94).

**Decree of the Finnish Senate respecting special exceptions to the provisions of the Eight Hour Act of November 27th 1917.)\*** Dated 19th August 1918.

1. The Eight Hour Act shall not apply to:

- 1) the erection of private dwellings and farm houses in the country, as well as the repair and upkeep of houses, docks, railways, bridges, roads and other means of communication;
- 2) clearing, cleansing and draining work which is directly connected with forestry;
- 3) Wood felling and cutting;
- 4) Raft making and lumbering;
- 5) Loading and unloading of merchandise;
- 6) The traffic and rail sections of railways, the traffic section of the postal department, custom offices, canals and telephone undertakings, excepting the work of operators dealing with conversations;

\*) Text E. B. XIII, p. 36, Nos. 10, 10a.

7) Hospitals and prisons, as well as

8) Concerns, undertakings and establishments similar to the above.

2. Contrary to the provisions of Section 2 of the Eight Hour Act, workers of 18 years and over may be engaged on regular work in factories or parts of factories, in which the technical character of the work necessitates its being carried on uninterruptedly day and night and in which the work is organised in 3 shifts, changing regularly and alternating every week —

a) 156 hours in the course of 3 weeks if the work can be suspended on a holiday, and

b) 168 hours in the course of 3 weeks if the work cannot be suspended on a holiday.

The provisions of Section 5, paragraph 1, of the Eight Hour Act shall not apply to subsidiary work in connection with repairs, heating, cleaning etc., which is carried out in the undertakings mentioned in this section, nor to the work referred to under (b). In the work mentioned under (a), the uninterrupted Sunday rest per week must average 30 hours and amount to at least 28 hours every time.

The question whether work is of the kind mentioned in this Section shall be decided by the proper Labour Inspector whose decision shall be submitted to examination by the Department of Social Welfare, if the employer concerned or one of his workers demands it.

3. Outside the scope of this Order the Senate may allow exceptions to the provisions of the Eight Hour Act for special districts under the hypotheses mentioned in Section 12 of the Act. If a request in this connection is made for a specified branch of work, detailed reasons must be enclosed with the request, giving both the circumstances which prevent the application of the Act to the work referred to in the request, and also the length of the working day which obtained in the branch of work in question before March 1st 1918.

13. *Finlands Senats beslut, angående fortsatt befrielse av särskilda af-färsrörelser och inrättningar från skyldigheten att iakttaga lagen om åtta timmars arbetstid.* Den 19 augusti 1918. (Finlands Författningssamling 1918, No. 94).

**Decree of the Finnish Senate respecting the extended exemption of specified concerns and establishments from observance of the Eight Hour Act. Dated 19th August 1918.**

In compliance with paragraph 2 of Section 12 of the Eight Hour Act of 27th November 1917, as amended by the Act of August 14th of the present year, the Finnish Senate has decided, on the report of the Department of Social Welfare that the exemption from observance of the Eight Hour Act of November 27th, 1917, which was granted by the Senate to specified concerns and establishments, in accordance with Section 13 of the above-mentioned Act, shall hold good for two months longer, dating from August 27th, in so far as the said concerns and establishments are not included amongst those mentioned in the Decree issued by the Senate this day respecting special exceptions to the provisions of the Eight Hour Act.

## VIII. France.

1. *Décret du 9 janvier 1917 complétant le décret du 22 mai 1916 déterminant les conditions d'application à la Réunion, du livre II du Code du travail et de la prévoyance sociale.* (Bulletin du Ministère du Travail et de la Prévoyance sociale 1917, 19\*).

**Decree to supplement the Decree of 22nd May 1916, fixing the conditions under which Book II of the Code of Labour shall apply to Réunion. Dated 9th January 1917.**

1. The following paragraph shall be added to Section 38 of the aforesaid Decree of 22nd May 1916:

„Where there is no competent inspector of labour or in the absence of the inspector, the Governor shall entrust the duties of inspector in the interim to a controller of the public works department or to some other official whose previous studies or services are such as to render him specially suitable for those functions.“

2. The Minister of the Colonies and the Minister of Labour are charged, each in so far as he is concerned, with the administration of the present Decree.

2. *Loi du 5 mars 1917, modifiant le paragraphe 3 de l'article 4 de la loi du 9 avril 1898, modifiée par la loi du 31 mars 1905, concernant les responsabilités des accidents du travail.* (B. M. T. 1917, 25\*).

Act to amend paragraph 3 of Section 4 of the Act of 9th April 1898 as amended by the Act of 31st March 1905, relating to liability for industrial accidents. Dated 5th March 1917.

Sole Section. Paragraph 3 of § 4 of the Act of 9th April 1898, as amended by the Act of 31st March 1905, shall be amended as follows:

„The employer shall be bound in all cases, in addition to satisfying the obligations named in § 3, to meet the expenses of hospital treatment, which, taken all together, shall not go beyond the scale fixed for the application of § 24 of the Act of 15th July 1893, increased by 50%, nor ever exceed 5.75 frs. per diem in Paris or 5 frs. elsewhere.“

3. *Loi du 6 mars 1917, relative aux mesures à prendre pour protéger contre l'alcoolisme les ouvriers et employés occupés dans les établissements soumis au Code du Travail.* (B. M. T. 1917, 25\*).

Act respecting measures to be taken for the protection against alcoholism of workers and employees employed in establishments subject to the Code of Labour. Dated 6th March 1917.

1. A new § 66B shall be inserted in Book II of the Code of Labour worded as follows:

„66 B. It shall not be lawful for any person to introduce into or distribute in, or for any head of an establishment, director, manager, agent, foreman or, in general, any person having authority over the workers and employees, to allow to be introduced into or distributed in the establishments named in § 65 of Book II of the Code of Labour, any alcoholic beverages for consumption by the persons employed, with the exception of wine, beer, cider, perry and hydromel not having any alcohol added.

„No head of an establishment, director, manager, agent, foreman or, in general, other person having authority over the workers and employees, shall allow persons in a state of drunkenness to enter into or remain in the establishments named in § 65 of Book II of the Code of Labour.“

2. The following paragraph shall be added to § 173 of Book II of the Code of Labour:

„Persons who contravene the provisions of § 66B of the present Book, shall be subject to the same penalties under the same conditions“.

4. *Circulaire (Travail), en date du 19 mars 1917, transmettant aux Préfets une circulaire du Garde des Sceaux et du Sous-Secrétaire d'Etat du Travail du 12 janvier 1917 adressée aux juges de paix et relative à l'application de la loi du 10 juillet 1915.* (B. M. T. 1917, 35\*).

Circular (Labour) transmitting to the Prefects a circular of the Keeper of the Seals and of the Under-Secretary of State for Labour, dated 12th January 1917, addressed to the justices of the peace and relating to the application of the Act of 10th July 1915. Dated 19th March 1917.



I have the honour to present to you herewith copies of a circular, dated 12th January 1917, addressed by the Keeper of the Seals, Minister of Justice and the Under-Secretary of State for Labour to the justices of the peace presiding over the departmental wages committees and the committees of industrial experts established under the Act of 10th July 1915.

The object of this circular is, in drawing attention again to the duties of the committees in question, to define precisely the functions with which the justices of the peace presiding over them have been invested.

I request you to be so good as to transmit without delay one copy of this circular to each of these justices of the peace. Copies remaining over after these copies have been despatched should be sent: (1) to justices of the peace who may take the places of justices of the peace now actually presiding over the committees in question, (2) to justices of the peace who preside over committees of industrial experts created hereafter.

Circular of the Keeper of the Seals, Minister of Justice, and the Under-Secretary of State for Labour, dated 12th January 1917, relating to the application of the Act of 10th July 1915 respecting the wages of women homeworkers in the clothing trade: duties of the wages committees and committees of industrial experts and functions of the justices of the peace presiding over them.

The Act of 10th July 1915, the object of which is to ensure a minimum wage to women homeworkers in the clothing trade, laid upon you duties to which it seems to us desirable to draw your attention, both by communicating to you part of the instructions already given by the Minister of Labour to the Prefects and the divisional inspectors of labour, in the circulars of 24th July 1915 and 7th June and 17th July 1916, and by giving you supplementary instructions touching more especially the new functions with which you have been invested.

## I.

The Act is concerned only with women home workers. It leaves outside its scope men homeworkers and workshops. The Act does not define home work. The following remarks indicate some of the characteristics of wage-earning homework.

The work is done on the order either of an industrial or commercial establishment or of a middlemen. It is carried out in a place used as, or attached to, the dwelling place of a woman working alone or with the members of her family or even with some other women. The raw materials are usually provided by the establishments or the middlemen, except the accessory requirements purchased by the worker.

Women home-workers thus defined are distinguishable from artisans who work at home, but directly for customers, and who are in reality small employers.

The Act makes no distinction of nationality; it protects alike all women home-workers working in France, whether they are French or foreign.

On the other hand, the Act does not cover all home work; it only applies to „the making of clothes, hats, boots and shoes, linen underclothing of all kinds, embroidery, lace, feathers, artificial flowers and all other work forming part of the clothing trade“. (§ 33).

Beyond the objects thus enumerated, it appears from the preparatory work on the Act that the Legislature only intended to include in the expression „clothing trade“ the making of clothing strictly speaking. In particular the manufacture of jewelry and beads, and ribbon-weaving are not included.

## II.

Limiting ourselves to those provisions of the Act which touch upon the precise object of this circular, we may point out to you that the Act contemplates two kinds of minimum wages or rates, which it is important to distinguish clearly:

(1) A minimum time rate which is fixed by the departmental wages committee;

(2) A minimum piece-work wage, applicable to articles made in quantities, fixed by the committees of industrial experts.

The wages or rates must be taken to be free of all deductions for materials etc. This is clear, by definition, as regards the minimum time wage (§§ 33e). It is equally true for the piece work rate or wage, since this must, by definition, be such as to enable the worker to earn the hourly minimum in the time necessary to make the article. (§ 33g).

### III.

As we have just said, the Act entrusts the departmental wages committees with the duty of determining the basic wages and fixing the minimum time rate of wages (§ 33e).

It is the duty of the Prefect to arrange for the establishment of the committees, in conformity with the rules laid down in § 33 f.

The committees are presided over by the justice of the peace or by the senior justice of the peace acting at the capital of the Department (§ 33 f, paragraph 2), to whom the Prefect should give notice of the creation of the committee, its composition and the names of the members appointed, and in general of all matters affecting its operations.

### IV.

It is the duty of the committees of industrial experts to determine the time necessary for the making of articles made in quantities (§ 33g) with a view to the fixing of a minimum piece-work wage.

It is the duty of the Prefects to set up these committees; to decide in what centres and for what trades they should be established, and to define the district over which their competence extends. There may, consequently be several committees in any Department, for, according to the technical duties laid upon them, they may be as numerous as there are clearly distinguished branches of the clothing trade in the district.

The committees are presided over by the justice of the peace of the canton within which the committee sits (§ 33 g, par. 3), to whom the Prefect must give notice of the creation of the committee, its composition, and the names of the members appointed, and in general of all matters affecting its operations.

### V.

The meetings of the departmental wages committees and of the committees of industrial experts are called by the President, the justice of the peace, who draws up the agenda. The administration has no right to interfere with the work of the committees, but must nevertheless give facilities for their operations as far as possible by providing them with premises, documents and certain office requisites. If possible, the administration shall, if so requested, place a clerk at the disposal of the committees to act as secretary. Amongst the documents to be presented to the committees, the most important are the schedules annexed under the Decrees of 10th August 1899, to the contracts made by the State, Departments, communes and public charitable institutions. A very large number of these schedules have been drawn up in detail in recent months in connection with supplies of clothes and under-clothing for the army. The inspectors of labour are acquainted with them and are in communication on the subject with the commissariat officers. The committees will find in them an abundance of practical information which will greatly facilitate their work.

**Determination of the Basic Wage.** The wages committees contemplated by § 33 must first determine the daily rate of wages customarily paid, upon the basis of which rate the minimum wage is afterwards fixed.

Section 33e indicates the rules to be observed in this connection:

(1) Where home-work exists in the district concurrently with similar work carried out in workshops. The daily rate of wages determined will be that customarily paid in workshops to women workers of the same trade and of average skill, performing the various operations of the trade. As regards the worker of average skill to whom the determination must relate, the reporter on the Bill to the Chamber of Deputies, quoted by the reporter to the Senate expressed himself thus:

"It is understood that the wage contemplated must be that of a woman who has no special talent giving her the right to a superior remuneration, but that of the ordinary worker, commonly performing the various operations of the trade.";

(2) Where there is only homework in the district but there are in the district or in similar districts workshops where women perform analogous work: the daily rate of wages of these women workers must be determined.

(3) Finally, where there is no workshop where work in connection with the clothing trade or analogous work is carried on, either in the district in question or in similar districts. In this case, which — by reason of the very wide and comprehensive sense of the expressions „analogous work“ and „similar districts“ — will doubtless be rare, the rate of wages to be determined is that customarily paid to women working by the day in the district.

In the words of the report of M. Jean Morel „the woman working by the day“ taken as a type is the unskilled woman worker, going out by the day to work for others for various purposes: domestic work, sewing, mending, washing etc."

**Determination of the Minimum Wage.** It is in accordance with the rate of wages thus ascertained that the labour councils or wages committees determine the minimum contemplated in § 33 d, that is to say, the minimum that the piece work rates must enable a woman homemaker of average skill to earn in 10 hours. The minimum wage thus determined is consequently a time wage; it must be fixed by the hour or for a day of 10 hours.

**Determination of the Piecework rates for articles made in quantities.** The committees of industrial experts set up under § 33 g have the duty of drawing up as precisely as possible, a table of the times necessary for the performing of work carried out in quantities, for the various articles and the various classes of woman worker, in the trades and districts to which their competence extends.

It should be noted that the action of the committees in the selection of articles to be included in the table is not limited by the initiative of the Government. The committees of counsel and the trade unions interested have likewise the right to apply to them. The committees may moreover, on their own initiative, include articles the scheduling of which appears to them especially desirable.

Once the table of times is drawn up, the committees of experts may well (although the Act does not oblige them to do so) proceed to multiply the basic hourly wage by the number of hours and fractions of hours indicated in the table. These schedules must include, for each article, three items: hourly wage, time required, net piece rate resulting from the two first.

## VI.

In order to ensure the exact observance of the rules set forth above, which are of essential importance for the good working of the Act, it will be well at the beginning of each meeting expressly to recall to the members of the wages committees and of the committees of experts, the rules affecting their respective duties.

You should explain to the wages committees that their power is limited merely to ascertaining certain facts, in accordance with the distinctions to which your attention is drawn above and which may be summarised as follows:

(a) Where there are workshops in the district where work of the same kind is performed: to ascertain the daily rate of wages for a day of 10 hours, customarily paid in those workshops to women of average skill, performing the various operations of the trade.

(b) Where there are no workshops in the district carrying on work of the same kind, but where there are either in the district or in similar districts workshops where women are engaged on analogous work: to ascertain the daily rate of wages for a day of 10 hours, customarily paid in those workshops to women of average skill.

(c) Where there is no workshop either in the district or in similar districts where work in connection with the clothing trade or analogous work is carried on:



to ascertain the daily rate of wages for a day of 10 hours, customarily paid to women working by the day in the district.

In each of these three cases, the corresponding rate ascertained must serve as the sole basis, no other consideration being admitted, for the determination of the minimum wage which a woman working at home ought to earn in a day of 10 hours.

You should remind the committee of experts that, although for fixing the minimum daily wage of women homeworkers, § 33, paragraph 1, requires, as has just been stated, the wages committee to ascertain the rates of pay of women employed in workshops, § 33 g imposes no similar obligation upon committees of experts; that paragraph 6 of the last named section merely provides that the minimum wage applicable to articles made in quantities shall be deduced from the minimum hourly wage fixed by the wages committee multiplied by the number of hours required for carrying out the work in connection with such articles; so that although the hours of work in workshops cannot be taken as the sole and necessary basis for fixing the hours of homework, when either by reason of division of labour or improved tools, the conditions in the two cases are widely different, yet such hours may, on the contrary, be taken into consideration when the conditions are practically similar.

After this statement, the debate shall be opened, and detailed minutes shall be kept showing the different opinions held and the grounds on which the final decision was based.

These minutes, signed by yourself, must be forwarded, without delay, by your instructions to the Ministry of Labour, Department of Labour, 2nd Bureau.

We may add that it is open to you at any time to admit or summon to the sittings of the wages committees and the committees of experts, a representative of the Labour Inspection Department, not to take part in the decision, which would be contrary to the Act, but at least to provide all the technical information that he may have acquired in the exercise of his functions.

## VII.

Section 33 h, paragraph 2, gives the Government, trade associations, and persons interested in the trade, the right to raise objections to the decisions of the wages committees and of the committees of experts within a term of three months reckoned from the publication of the minimum wage.

The manner in which this publication shall be effected is prescribed in Chapter I of the decree of 24th September 1915.

Objections are dealt with finally by a Central Commission sitting at the Ministry of Labour (§ 33 h, par. 2 *et seq.*).

In accordance with § 1 of the Ministerial Decree of 3rd November 1915, regulating the procedure of the Commission, notice of objections must be given by registered letter with a receipt kept, to the departmental wages committee or the committee of industrial experts which fixed the minimum in question.

This notice must be addressed by the Minister of Labour to the justice of the peace who is president of the Committee.

As soon as it is received, the magistrate in question must summon a fresh meeting of the Committee. It is desirable that the letter convening the meeting, sent to each of the members, employers and workers, composing the committee, should state the subject of the objection in order that it may be discussed with the members fully acquainted with the matter in dispute.

Minutes showing the reasons for which the committee, on reconsideration, thought well to accept the objection or to reject it, must be drawn up for this second meeting, as for the first.

The minutes must, in addition, state expressly that the members of the committee were informed that if they desire to produce documents in support of their decision they are allowed, for that purpose, a term of 3 months reckoned from the publication of the disputed minimum wage or rate, in conformity with § 33 h, par. 2 of the Code of Labour and § 8, par. 1, of the Decree of 24th September 1915 (Ministerial Decree of 3rd November 1915, § 1, par. 2). If the Committee declares that it has no document in support to produce, this shall be mentioned in the minutes.

The minutes shall be forwarded to the Minister of Labour in the manner prescribed for the previous minutes.

At the second meeting a representative of the Labour Inspection Department may be admitted as at the preceding meeting and under the same conditions.

5. *Loi du 26 avril 1917 sur les sociétés anonymes à participation ouvrière* (B. M. T. 1917, 29\*).

**Act respecting workers' profit-sharing companies.** Dated 26th April 1917.

6. *Loi du 11 juin 1917, tendant à organiser pour les femmes le repos de l'après-midi du samedi dans les industries du vêtement.* (Bulletin du Ministère du Travail et de la Prévoyance sociale 1917, 56\*).

**Act to organise the Saturday afternoon half-holiday for women in the clothing trades.** Dated 11th June 1917.

1. During the war and for so long as no general law is introduced in the industries contemplated in section 33 of Book I of the Code of Labour, a half holiday on Saturday afternoons shall be granted to women workers of all ages under conditions to be determined, for each trade or each district, consideration being paid to the needs of the work in different seasons, by public administrative regulations which shall be adapted to agreements between associations of employers and workers in the trade and the district, where such agreements exist.

2. When the exigencies of National Defence so require the application of the present Act may be suspended by order of the Minister for War in respect of women employed in military tailoring.

3. Contraventions of the public administrative regulations contemplated in § 1 shall be dealt with in accordance with the provisions of § 107 of Book II of the Code of Labour and punished by the penalties prescribed in §§ 159—163 inclusive of the said Book.

7. *Loi du 18 juillet 1917, exonérant du timbre et de l'enregistrement les certificats de travail donnés aux ouvriers, employés ou serviteurs et contenant certaines mentions non prévues par l'article 24 du livre I<sup>er</sup> du Code du Travail et de la Prévoyance sociale.* (B. M. T. 1917, 81\*).

**Act to exempt from stamp duty and registration labour certificates given to workers, employees or servants and containing certain matter not contemplated in § 24 of Book I of the Code of Labour.** Dated 18th July 1917.

8. *Circulaire du Ministre du Travail et de la Prévoyance sociale, en date du 23 juillet 1917, concernant l'application de la loi du 10 juillet 1915 (salaire des ouvrières à domicile dans l'industrie du vêtement. — Adressée aux préfets.* — (B. M. T. 1917, 87\*).

**Circular of the Minister of Labour concerning the application of the Act of 10th July 1915 (wages of women homeworkers in the clothing trade).** Addressed to the prefects. Dated 23rd July 1917.

9. *Loi du 5 août 1915, concernant l'allaitement maternel dans les établissements industriels et commerciaux* (B. M. T. 1917, 82\*).

Act respecting the breast-feeding of infants in Industrial and Commercial undertakings. Dated 5th August 1917.

1. The heading of Chapter IV (2) of title 1 of Book II of the Code of Labour shall be modified as follows: "Rest for women after confinement and for nursing mothers."

2. The following provisions shall be codified as hereafter stated, and shall form Sections 54b, 54c, 54d, 54e of Book II of the Code of Labour;

„54b. In the same establishment for one year after the birth of the child nursing mothers shall be allowed one hour a day during hours of work for the purpose of feeding their infants."

„This hour shall be in addition to the breaks provided for in Section 14. It shall be divided into two periods of 30 minutes, one during the morning and the other during the afternoon, and shall be taken at hours fixed in agreement between the mothers and the employers. In case of disagreement the hour shall be taken in the middle of each period of employment."

„54c. The mother shall always be allowed to nurse her infant on the premises. The public administrative regulations provided for in Section 54e shall determine the conditions which must be satisfied by the place where the mother is allowed to nurse her infant, according to the importance and the nature of the establishment."

„The period of 30 minutes, fixed above, shall be reduced to 20 minutes in establishments where the employers provide for their workers and employees within or near the workrooms a nursing room satisfying conditions laid down by the public administrative regulations provided for hereafter."

„54d. Heads of establishments employing more than 100 women over 15 years of age may be instructed to set up nursing rooms in or near their establishments. These rooms must be capable of accommodating a number of children under the age of one year corresponding to the number of women over 15 years of age employed in the establishment, estimated in accordance with the general proportion prevailing for all women over 15 years of age in the commune.

„Sections 69 and 70 of the present Book shall apply to instructions given under the preceding paragraph. Objections against these instructions shall be submitted to the Superior Committee for the Protection of Young Children before being referred to the Consultative Committee of Arts and Manufactures.

„54e. The measures necessary to ensure the observance of this Chapter, and especially the conditions as regards construction, hygiene, and supervision of nursing rooms used for infants who are wholly or partly breast-fed shall be determined by public administrative regulations issued after consultation with the Superior Committee for the Protection of Young Children and the Consultative Committee of Arts and Manufactures."

10. *Circulaire du Ministre du Travail, en date du 3 septembre 1917, concernant l'application de la loi du 10 juillet 1915 sur les salaires des ouvrières à domicile dans le vêtement. (Point de départ du délai de recours). — Adressée aux préfets. — (B. M. T. 1917, 89 \*.)*



Circular of the Minister of Labour respecting the application of the Act of 10th July 1915 respecting the wages of women homeworkers in the clothing trade (time from which time limits are to be calculated). Addressed to the prefects. Dated 3rd September 1917.

11. *Décret du 18 septembre 1917 portant règlement d'administration publique pour l'application, dans le Département de la Seine, de la loi du 11 juin 1917 sur le repos de l'après-midi du samedi dans certaines des industries visées à l'article 33 du livre 1<sup>er</sup> du Code du travail.* (B. M. T. 1917, 112 \*).

Decree issuing public administrative regulations respecting the application in the Department of the Seine of the Act of 11th June 1917 respecting the Saturday afternoon holiday in certain of the industries named in § 33 of Book I of the Code of Labour. Dated 18th September 1917.

1. Women workers shall enjoy a Saturday afternoon holiday under the condition stated below, in establishments or parts of establishments situated within the Department of the Seine in which the following articles are made: suspenders, belts etc. in elastic webbing; embroidery; wholesale, men's underlinen; ladies' clothing; men's clothing; corsets, wholesale; shirt collars, cuffs and fronts, wholesale; made-up flannel; furs; fabric gloves; ladies' under-linen; high class millinery and bespoke millinery; wholesale millinery; wigs; knitted goods and fancy caps, jackets, stockings and military gloves.

2. On Saturday morning hours of work shall not exceed 4 hours except in the wig-making industry where it shall not exceed 5 hours.

The Saturday afternoon the rest shall in any case not begin later than 1 o'clock.

3. When at certain times it is necessary to meet an extraordinary press of work, the Saturday afternoon holiday may be suspended without permission. The number of such suspensions shall not exceed 15 per annum.

Notwithstanding, in order to satisfy the particular needs of the trade in the different seasons: the suspensions may take place 20 times in the wholesale millinery trade and 26 in the wig-making industry.

In the fur industry the exemptions shall be made use of each year in the period between 8th September and 31st December inclusive.

4. Heads of establishments, directors or managers who wish to suspend the afternoon holiday by virtue of the preceding section, shall, except in cases of *force majeure*, give notice of the fact, before the work begins, to the inspector of labour who is competent to act in respect of the establishment or the part of an establishment where the suspension is to take place.

They must inform this official of the circumstances giving rise to the suspension of the half holiday, state the date and duration of the suspension and especially the number of women workers affected by it.

A copy of this notice must be affixed in the workroom all the time that the suspension of the Saturday afternoon holiday is in operation.

The provisions of this section shall not apply in the case where § 3 fixes the dates of the exemptions.

5. The hours of work performed on Saturday afternoon, by virtue of the exceptions provided for in § 3, shall be regarded as overtime and paid for

in accordance with the custom in force in each of the industries concerned for hours of work outside the normal hours.

12. *Loi du 1<sup>er</sup> octobre 1917 sur la répression de l'ivresse publique et sur la police des débits de boissons.* (B. M. T. 1917, 109 \*).

Act respecting the suppression of public drunkenness and the inspection of public houses. Dated 1st October 1917.

[Extract.]

9. No women under 18 years of age, other than members of the host's family, shall be employed in public houses.

Sections 475 and 478 of the Code of Labour shall apply to contraventions of this section.

An offence shall be held to be repeated if the offender has been convicted under the present Act within 12 months.

13. *Loi du 18 octobre 1917 portant modification et codification de la loi du 2 avril 1914 sur la garantie des cautionnements des ouvriers et employés.* (B. M. T. 1917, 110 \*).

Act to amend and codify the Act of 2nd April 1914 respecting the guaranteeing of deposits of workers and employees. Dated 18th October 1917.

14. *Décret du 18 octobre 1917, portant dérogation au décret du 12 mars 1916, relatif aux subventions aux bureaux de placement.* (B. M. T. 1917, 114 \*).

Decree allowing an exception to the Decree of 12th March 1916 respecting subventions to employment bureaux. Dated 18th October 1917.

15. *Décret du 23 octobre 1917 modifiant le décret du 10 juillet 1913 concernant les mesures générales de protection et de salubrité applicables à tous les établissements assujettis (Alcoolisme. — Sièges à mettre à la disposition des ouvrières).* (B. M. T. 1917, 116 \*).

Decree to amend the Decree of 10th July 1913 concerning general measures of protection and hygiene applicable to all establishments subject thereto (Alcoholism. — Seats to be provided for women workers). Dated 23rd October 1917.

[Prohibits the taking of meals in workrooms as a rule, requires employers to provide drinking water, and provides for seats for all women workers either for use at their work or near by.]

16. *Circulaire du Ministre du Travail, en date du 14 novembre 1917, concernant l'application de la loi du 11 juin 1917 sur le repos de l'après-midi du samedi.* (Adressée à l'inspecteur divisionnaire du travail de la 1<sup>er</sup> circonscription de Paris. (B. M. T. 1917, 122 \*).

Circular respecting the application of the Act of the 11th June 1917 respecting the Saturday afternoon rest (addressed to the Divisional Inspector of Labour of the 1st Division of Paris). Dated 14th November 1917.

17. *Loi du 2 décembre 1917 modifiant la loi du 17 juin 1913 sur les femmes en couches.* (B. M. T. 1917, 112).

Act to amend the Act of 17th June 1913 concerning the rest of women on their confinement. Dated 2nd December 1917.

1. Section 3 of the Act of 17th June 1913, shall be amended as follows:

„Any woman of French nationality who is without sufficient means shall be entitled during the period of rest which immediately precedes and follows her confinement to a daily allowance which must not be supplementary to any public maternity benefit granted in pursuance of the Act of 29th June 1904.

„The temporary resources arising from their membership of Friendly Societies, and especially of mutual maternity insurance societies which women receive on their confinement during the period of rest shall not be counted in estimating their means.“

2. The first paragraph of Section 10 of the Act of 17th June 1913 shall be amended as follows:

„Any mutual maternity insurance society, any mutual benefit society, any charitable society, previously recognised by a Decree issued on the proposal of the Ministers of the Interior and of Finance after consultation with the competent section of the Chief Council of the Charity Commissioners may be entrusted by the Municipal Council after consultation with the Relief Department with the administration of the present Act in the commune in which its headquarters or any of its branches are located.“

18. *Loi du 19 décembre 1917 relative aux établissements dangereux, insalubres ou incommodes.* (B. M. T. 1918, 1\*.)

Act respecting dangerous, unhealthy or noxious trades. Dated 19th December 1917.

19. *Arrêté du 22 décembre 1917 relatif à la solution par voie de conciliation des conflits du travail.* (B. M. T. 1918, 28\*.)

Order respecting the settlement of labour disputes by means of conciliation. Dated 22nd December 1917.

20. *Circulaire du 22 décembre 1917 (marine marchande) relative à la solution, par voie de conciliation, des conflits du travail.* (B. M. T. 1918, 29\*.)

Circular (merchant shipping) respecting the settlement of labour disputes by means of conciliation. Dated 22nd December 1917.

21. *Décret du 16 avril 1918 complétant le décret du 18 septembre 1917, portant règlement d'administration publique pour l'application de la loi du 11 juin 1917 sur le repos de l'après-midi du samedi dans les industries visées à l'article 33 du livre 1<sup>er</sup> du code du travail.* (B. M. T. 1918, 42\*.)

Decree to supplement the decree of 18th September 1917 issuing public administrative regulations in pursuance of the Act of the 11th June 1917 respecting the Saturday afternoon rest in the industries named in section 33 of Book I of the Code of Labour. Dated 16th April 1918.

1. The following shall be added to the list of industries in which the articles named in Section 1 of the Decree of 18th September 1917 are made, and the processes there named are carried out:

Artificial flowers, leaves and fruit; feathers; india-rubber clothing.

2. Paragraph 1 of section 2 of the Decree of 18th September 1917 shall be supplemented as follows:



„Hours of work shall not exceed 4 on Saturday morning. Notwithstanding, they may be extended to 5 in the following trades: false hair, artificial flowers, leaves and fruit; feathers.“

Section 3 of the Decree of 18 September 1917, fixing the number of times on which the suspension of the Saturday afternoon holiday is permitted, shall be amended as follows:

„In the wholesale millinery trade, in the manufacture of artificial flowers, leaves and fruit and of feathers, 20 times; in the false hair industry, 26 times.

22. *Décret du 19 avril 1918 fixant les conditions à remplir par les fonds municipaux et départementaux de chômage pour bénéficier des subventions du fonds national de chômage.* (B. M. T. 1918, 43\*.)

Decree fixing the conditions to be satisfied by municipal and departmental unemployment funds in order to receive subventions from the National Unemployment Fund. Dated 19th April 1918.

23. *Décret du 4 juillet 1918 modifiant le décret du 18 septembre 1917 sur le repos de l'après-midi du samedi dans les industries du vêtement à Paris.* (B. M. T. 1918, 77\*.)

Decree to amend the Decree of 18th September 1917, respecting the Saturday afternoon holiday in the clothing industries. Dated 4th July 1918.

1. Section 1 of the Decree of 18th September 1917 as amended by the Decree of 16th April 1918, shall be amended as follows:

„Women workers shall enjoy a Saturday afternoon holiday under the conditions stated below, in establishments or parts of establishments situated within the Department of the Seine in which the following articles are made: suspenders, belts etc. in elastic webbing; embroidery; boots and shoes; wholesale men's under-linen; ladies' clothing; men's clothing; corsets, wholesale; needle-work; shirt-collars, cuffs and fronts, wholesale; made-up flannel; artificial flowers, leaves and fruit; furs; fabric gloves; ladies' under-linen; high-class millinery and bespoke millinery; wholesale millinery; feathers; false hair; knitted goods and fancy caps; military jackets, stockings and gloves; india-rubber clothing.

2. Paragraph 1 of Section 2 of the Decree of 18th September 1917, as amended by the Decree of 16th April 1918, shall be amended as follows:

„On Saturday morning hours of work shall not exceed 4 hours. Notwithstanding, the hours of work may amount to 5 hours in the following trades: boots and shoes; artificial flowers, leaves and fruit; feathers and false hair.“

## IX. Great Britain and Ireland.

1. An Act for encouraging the production of Corn and for purposes connected therewith (including provision as to Agricultural Wages and Rents). (Ch. 46) 21st August 1917.

2. An Act to amend the Trade Boards Act, 1909. (8 and 9 Geo. 5; Ch. 32) 8th August 1918.

3. An Act for prescribing Minimum Rates of Wages during a limited period and for repealing certain provisions of the Munitions of War Acts. (8 and 9 Geo. 5, Ch. 61) 21st November 1918.

## X. Italy.

1. *Decreto Luogotenenziale 22 Agosto 1917 che istituisce una Commissione per la preparazione di uno schema di disegno di legge sull'assicurazione obbligatoria contro le malattie.* (Bollettino dell'Ufficio del Lavoro, Nuova Serie, 1917, p. 160).

Decree of the Lieutenant-General to establish a Commission to prepare a bill respecting compulsory insurance against illness. Dated 22nd August 1917.

2. *Decreto-Legge 23 Agosto 1917, n. 1450, concernente l'assicurazione obbligatoria contro gli infortuni sul lavoro in agricoltura.* (Bollettino dell'Ufficio del Lavoro, Nuova Serie, 1917, p. 161.)

Decree-Act concerning compulsory insurance against accidents in agriculture. Dated 23rd August 1917.

[A German Translation of this measure is given in the G. B. XVII p. 9.]

## XI. Mexico.

*Constitución política de los Estados Unidos Mexicanos, que reforma la de 5 de Febrero de 1857.* Expedida el 31 de Enero de 1917, promulgada el 5 de Febrero de 1917.

Constitution of the United States of Mexico, amending the Constitution of 5th February 1857. Adopted 31st January 1917. Promulgated 5th February 1917.

[Extract.]

### Title I. Chap. I. Personal Guarantees.

5. No person shall be bound to perform personal work without a fair remuneration and without his full consent, except in the case of labour imposed by the judicial authorities as a punishment, which shall be effected in accordance with I or II of § 123.

A contract of work shall merely bind a person to perform the service for the period lawfully fixed; the duration of a labour contract shall not, — to the detriment of the worker, — exceed one year, and the contract shall in no case involve the renunciation, loss or restriction of any State or civil right.

### Title VI. Labour and Social Welfare.

123. The Congress of the Union and the legislative authorities of the States shall issue laws regulating work, based upon the needs of the different parts of the country without contravening the following principles, which shall apply to the work of workers, day labourers, employees, servants and craftsmen, and in general to all contracts of work.

I. The daily hours of work shall not exceed 8 hours.

II. The duration of night work shall not exceed 7 hours. No women in general or young persons under 16 years of age shall be employed in injurious or dangerous processes. Women and young persons shall also

be excluded from industrial night work. In commercial undertakings they shall not work after 10 p. m.

III. Young persons over 12 but under 16 years of age shall not be employed more than 6 hours a day. The employment of children under 12 years of age shall not be the subject of a contract.

IV. The workers shall be allowed at least one day of rest to every 6 working days.

V. For 3 months before their confinement women shall not do any bodily work requiring considerable physical exertion. During the month following their confinement they shall be allowed a rest during which they shall receive their full wages and maintain their position and the rights acquired by their contracts. Whilst they are nursing their infants, they must be allowed two extraordinary periods of rest, of half an hour each, for this purpose.

VI. The minimum wage which a worker must receive in his capacity as head of a household shall be held to be the wage deemed to be sufficient in view of the circumstances prevailing in the different localities to cover the normal necessities of a worker's life, his education and reasonable pleasures. In every agricultural or commercial undertaking or factory or workshop, the workers shall have a right to a share in the profits regulated in accordance with § IX.

VII. Equal work shall be remunerated by equal pay regardless of sex or nationality.

VIII. The minimum wage shall not be subject to seizure nor to any attachments or deductions.

IX. The minimum rates of wages and the shares in profits mentioned under VI shall be fixed by special commissions set up in every commune and subject to the Central Conciliation Board (Junta Central de Conciliación) to be established in every State.

X. Wages shall be paid in cash and in legal currency. It shall not be lawful to pay in goods or vouchers, cheques or other tokens serving as a substitute for cash.

XI. When as a result of extraordinary circumstances, the hours of work must be increased, the overtime shall be paid for at a rate of 100% in excess of the wage fixed for the normal hours of work. Such extraordinary work shall in no case exceed 3 hours a day nor be resorted to on more than 3 days in succession.

No male young persons under 16 and women of any age shall be admitted to work of this kind.

XII. [In all agricultural, industrial and mining undertakings, employers to provide proper housing, schools, hospitals etc., unless the undertaking is in a town and employs 100 workers at least, in which case the town must provide the houses.]

XIII. [In industrial centres a site must be reserved for the requirements of the community, markets etc. Drinking saloons and gambling houses prohibited.]

XIV. [The employer to be liable to pay compensation for industrial accidents and diseases, in accordance with laws on these matters.]



XV. [Employer to observe regulations as regards sanitation and the prevention of accidents.]

XVI. Both the workers and employers shall have the right to join trade unions, industrial associations etc. for the purpose of protecting their respective interests.

XVII. The laws must recognise the right of the workers to strike and employers to lock out.

XVIII. Strikes shall be lawful when their object is to establish a balance between the various factors of production by bringing the claims of labour into accord with those of capital. In the public services the workers shall be bound to notify the Conciliation and Arbitration Board (Junta de Conciliación y Arbitraje) ten days in advance of the date fixed for a strike. A strike shall only be held to be unlawful when the majority of the strikers commit acts of violence against persons or property, or in case of war, if the workers belong to undertakings or branches of service under the Government. The workers of the Government arsenals shall not come under this section, because they shall be held to be part of the national army.

XIX. Lock-outs shall only be permissible when overproduction makes a cessation of work necessary, so that prices can be kept within the limits of cost: but the approval of the conciliation and arbitration committee shall first be procured.

XX. Differences or disputes between capital and labour shall be submitted to the decision of a conciliation and arbitration committee consisting of equal numbers of representatives of employers and workers and one representative of the Government.

XXI. If the employer refuses to submit the matter in dispute to arbitration or to accept the decision issued by the Committee, the contract of work shall be held to be terminated and the employer shall be bound to compensate the workers by paying them three months' wages apart from the liability arising out of the dispute. If the refusal is on the part of the workers, the contract of work shall be held to be terminated.

XXII. If the employer dismisses a worker wrongfully because he belongs to a trade union, or has taken part in a lawful strike, he shall be bound, at the choice of the worker, either to fulfil the contract or to compensate the worker by paying three months' wages. He shall be liable to the same extent if the worker leaves his service on account of the employer's dishonesty or his personal ill-treatment of the worker himself, his wife, parents, children or brothers. The employer cannot escape this liability in the event of employees or dependants being guilty of such ill-treatment, if they acted with his consent or connivance.

XXIII. The claims of workers to salary or wages earned in past years and to compensation shall have preference over all other claims in case of bankruptcy or insolvency.

XXIV [Only the worker himself to be liable for debts owing to the employer or his dependants or employees.]

XXV. Employment bureaux shall be free to the workers whether they take the form of communal bureaux, labour exchanges or any other official or private institutions.

XXVI. Every contract of work concluded between a Mexican and a foreign contractor must be legalised by the competent communal authority and viséed by the consul of the country to which the worker is to go, in order to ensure that it shall provide expressly, in addition to the ordinary terms, that the expenses of repatriation shall be borne by the contractor.

XXVII. Terms of a contract, even when expressly stated, shall be null and void if:

(a) they fix hours of work which are inhuman in view of the worker's position, because they are obviously excessive;

(b) they fix a wage which in the opinion of the Conciliation and Arbitration Committee is inadequate;

(c) they provide for the payment of wages at longer intervals than one week;

(d) they provide that wages shall be paid in a place of entertainment, public house, coffee house, bar or shop, except in the case of the employees of such an undertaking;

(e) they require, directly or indirectly, that articles of necessity shall be bought in particular shops or particular places;

(f) they allow wages to be kept back for the payment of fines;

(g) they provide that the worker shall renounce his right to compensation to which he is entitled for industrial accidents or disease, or for breach of contract or dismissal;

(h) they provide for the worker's renunciation of any other rights given to the workers by any labour or maintenance laws.

## XII. Norway.

1. *Lov om industrielt hjemmearbeide.* 15 februar 1918.

**Act respecting industrial homework.** Dated 15th February 1918.

1. Homework within the meaning of this Act means industrial work performed for remuneration by a worker for an employer or a middleman, if the work is done in the worker's home or in some other place where the employer exercises no supervision over the arrangement of the work, or in the workshop of the middleman.

A middleman is a person who undertakes work from an employer and makes contracts with workers for its performance. What is provided in this Act in respect of the employer shall apply likewise to a middleman.

The Home Work Council (See § 7) shall decide whether any operation or work comes under this Act.

2. Every employer shall keep a special register of his home workers. If a middleman is employed, he shall be entered in the list and the fact noted therein that he is a middleman.

The middleman shall keep a register of the persons employed by him whether they work at home or in his workshop.

The employer (middleman) must send in every year before the end of February to the local inspecting authority (See § 6, par. 1) two copies of the list for the past year. One of the lists shall be kept by the said authority and the other shall be sent on to the Home Work Council.

3. An employer who employs homeworkers must post up or make available in a place easily accessible to the homeworkers lists of his minimum rates of pay for the various kinds of home work.

Every year before the end of February the employer shall send the Home Work Council a copy of the wages list for the past year.

4. The employer must provide the homeworker with a wages book. The employer shall enter in this book current statements of the work given out, the delivery of finished work, the wages paid and any deductions. The book shall contain a copy of this Act.

A settlement between the employer and the workers shall be made and the wages due paid in current cash at least once a week, unless a different term is agreed upon by a special contract.

5. In the case of homework not coming under the Act for the protection of workers in industrial occupations, the local inspecting authority shall see that the hygienic conditions in the rooms in which the work is carried out are as satisfactory as can reasonably be required. If any power other than human muscles is used, care must be taken to see that the machines etc. are so installed and maintained that the workers and any other persons in the workplace are suitably protected from any risk of accident.

The inspecting authority shall press for the removal of any defects they may find; they may draw up guiding principles for the improvement of hygienic conditions.

The Home Work Council may prohibit the carrying out of home work of a specially unhealthy nature either in rooms which serve likewise as living rooms or altogether. The Council may issue regulations for the protection of the public against the spread of diseases through home work.

6. Supervision over the observance of this Act shall be exercised by the Board of Health so far as concerns work done in the worker's home, and in other cases by the factory inspection authority. In communes where there is no factory inspection authority, the Board of Health shall supervise home work of all kinds.

The factory inspectors and their assistants shall be assisted by the inspecting authority in accordance with rules to be issued by the competent Government Department.

7. The higher authority for supervising the observance of this Act shall be the Home Work Council, to be appointed by the King. The Council shall have its headquarters in Christiania, and shall consist of 3 — or if the King so provide, of 5 — members, men and women. The Chairman and his deputy shall not be merchants, industrial employers or homeworkers, nor shall they have an economic interest in the decisions of the Council. Employers and workers shall be represented in equal numbers amongst the other members and their substitutes, and shall be chosen as far as possible from trades in which home work is carried on.

In addition to the special duties laid upon the Home Work Council by this Act, the Council shall institute investigations into conditions of work in the home industries; if desired, make proposals for improving the position of home workers; and advise the Department on matters



touching home industries. The Council shall co-operate with the Medical Director, the Chief Inspector of Factories and the Labour Council, in accordance with rules to be issued by the Department.

The Council shall present a report on its work every year to the Department.

8. The provisions of this Act respecting the fixing of minimum wages shall only apply to home work in trades for the manufacture of articles of clothing and needlework of all kinds.

The King shall draw up a list of such trades.

The King may proclaim that this Act shall apply to other trades carried on by home work.

The Home Work Council shall decide in particular cases if any work belongs to the trades named in the list.

9. The Home Work Council may undertake a special inquiry into wage conditions in the trades for which it may establish minimum wages under § 8. Such an inquiry shall be undertaken if this is demanded by 6 or more workers or employers in a trade.

If the Council finds as the result of an inquiry that the wage conditions in a trade are not satisfactory, it may decide to set up a wages board (*lonsnaevnd*) to fix minimum wages for the trade or particular branches of the trade. The decision may include several trades at the same time. A joint wages board or several special wages boards may be set up. Before the Council issues its decision, a report must be forwarded from the competent communal authority.

A wages board shall fix minimum wages for homework executed for an employer with his business in the commune, regardless of where the workers live or perform the work. The Council may provide that one wages board shall regulate wage conditions in several communes.

The Council shall state in the board's terms of reference the scope of its powers. The terms of reference may be extended to processes or trades other than those originally contemplated.

10. A wages board shall consist of a chairman and so many members — women or men — as the Home Work Council may determine, but not less than 4. The chairman and his deputy shall not be merchants, industrial employers or home workers, nor shall they have any economic interest in the decisions of the board. Workers and employers shall be represented in equal numbers amongst the members of the board and their substitutes, and shall be chosen as far as possible from trades for which minimum wages are to be fixed.

The members of the board and their substitutes shall be chosen by the communal authority. Before the appointment, the associations of employers and workers in the trade and any other interested persons in the commune shall be invited by notice in the press or any other means which seems good to the communal authority to hand in nominations for the composition of the board.

If a board is to regulate wage conditions in several communes at once, each communal authority shall appoint as many members as the Home Work Council may prescribe, but not less than 2, one worker and one employer.

The chairman of the board and his deputy shall be chosen by the Home Work Council who shall first procure the views of the members of the board chosen by the commune, of the competent communal authority (formandskap) and the magistrate, as to who should be appointed.

Members or chairmen of wages boards must be Norwegian subjects over 25 years of age. Any person who has forfeited his right to vote in public affairs or has been deprived of his capacity to fill a public office shall be excluded.

Every inhabitant of a commune who is not over 60 years of age, shall be bound to accept nomination as a member or chairman of a wages board for a term of 3 years. He may thereafter refuse to stand for re-appointment for as long a period as that during which he was in office.

11. A minimum time wage shall be fixed for the trade or trades to which the competence of a wages board extends.

In fixing the minimum, the rates of wages current in the locality for the same or corresponding work in workshops, and factories and for other homeworkers, shall be taken into account. The wage shall be fixed at the amount which a worker of average skill would presumably earn in accordance with such rates.

Care shall be taken to ensure that the minimum time wage stands in such a relation to earnings in workshops and factories that home work is not driven out of existence.

When there are several groups of workers in a trade the board may, if it considers it expedient, fix special rates of wages for the different groups.

As far as possible the board shall fix, in addition to the minimum time wage, minimum piece work rates of wages for all or some of the articles made in the trade or trades. The piece work rates must stand in such a relation to the minimum time rate that the latter is ensured to a worker of average skill.

12. [Methods by which a board may investigate the circumstances. Boards to sit *in camera*.]

13. [Method of issuing determinations.]

14. [Publication of determinations by the Home Work Council; criticisms invited within one month.]

15. [The Home Work Council may ratify the determination of the board, modify it, or refer it back. The Council must see to the compatibility of the various rates fixed. The determination comes into force after a period, not less than 2 months, fixed by the Council.]

16. The minimum rate of wages fixed must be paid in full to the worker and without any deduction for the remuneration of the middleman.

If the worker has incurred any outlay on materials etc., they must be made good by special payment unless it is expressly stated in the determination that such outlay is included in the fixed minimum wage.

17. [If the Home Work Council finds that home work is being driven out, it may extend the minimum rates fixed for home work to workshops and factory work, or fix a special minimum for such work.]

18. [The employer may submit piece work rates for ratification by the Home Work Council, in substitution for the fixed time rates.]

19, 20. [The Home Work Council may consult a board on the interpretation of its determinations; and may reopen the question of a minimum rate already fixed.]

21. [Where there is a collective contract in operation in a trade for which a minimum wage is fixed, the Home Work Council may allow the contract to be substituted for the determination of the board.]

22. [Authorities have the right of entry into workshops etc., and to inspect registers etc.]

23. [Inspecting Authorities bound to secrecy.]

24. [Remuneration of chairman and members of the Home Work Council and the wages boards.]

25. [Allocation of expenditure of Home Work Council and boards.]

26 [Penalties.]

27—29. [Miscellaneous provisions.]

30 This Act shall come into force on 1st July 1918; it shall cease to be in operation not later than 30th June 1923.

2. *Regler for renhold i bakerier som gaar ind under arbeider-beskyttelsesloven.* (Fastsat ved kongelig resolution av 26de august 1916.)

**Rules respecting cleanliness in bakeries coming under the labour laws.** (Issued by Royal Resolution.) 26th August 1916.

[A German translation of these rules is printed in the G. B. XVII p. 231.]

### XIII. Netherlands.

1. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur, als bedoeld bij artikel 6 der Stuwadoorswet.* (Staatsblad No. 431.)

**Decree to issue general administrative regulations in pursuance of § 6 of the Stevedores Act.** Dated 5th September 1916.

[German translations of this and the three following Decrees are published in G. B. XVII, p. 102, No. 1, 2, 3, 4.]

2. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur, als bedoeld bij artikel 9 der Stuwadoorswet.* (Staatsblad No. 432.)

**Decree to issue general administrative regulations in pursuance of § 9 of the Stevedores Act.** Dated 5th September 1916.

3. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur, als bedoeld bij artikel 12 der Stuwadoorswet.* (Staatsblad No. 433.)

**Decree to issue general administrative regulations in pursuance of § 12 of the Stevedores Act.** Dated 5th September 1916.

4. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur als bedoeld bij artikel 17 der Stuwadoorswet.* (Staatsblad No. 434.)



Decree to issue general administrative regulations in pursuance of § 17 of the Stevedores Act. Dated 5th September 1916.

5. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur, als bedoeld bij artikel 19 der Stuwadoorswet.* (Staatsblad No. 435.)

Decree to issue general administrative regulations in pursuance of § 19 of the Stevedores Act. Dated 5th September 1916.

6. *Besluit van den 5den September 1916, tot vaststelling van een algemeen maatregel van bestuur betreffende het register van stuwadoorsondernemingen en de uitreiking van arbeidskaarten.* (Staatsblad No. 436.)

Decree to issue general administrative regulations respecting the register of stevedores' undertakings and the giving out of labour cards. Dated 5th September 1916.

7. *Besluit van den 5den September 1916, houdende bepaling van den datum, met ingang waarvan de Stuwadoorswet (wet van 16 October 1914, Staatsblad No. 486) in werking zal treden.* (Staatsblad No. 437.)

Decree to fix the date at which the Stevedores Act (Act of 16th October 1914, Staatsblad No. 486) shall come into force. Dated 5th September 1916.

The Stevedores Act shall come into force on 1st November 1916.

## XIV. Russia.

1. Decree of the Central Executive Committee of the Soldiers' and Workers' Representatives respecting the eight hour working day, the duration and distribution of working hours. Dated 26th October/11th November 1917 (French text in »L'Oeuvre sociale et politique du Gouvernement Socialiste de Russie.« I. Décrets Fondamentaux. Geneva; p. 15.)

1. The present Act shall apply to all commercial and productive undertakings regardless of their extent and legal status, and to all persons working as wage-earners therein.

2. The period of employment or number of hours worked daily shall be held to be the whole time during which the worker is bound by a contract of work (Sections 48, 60, 96, 98 and 103 of the Regulations for industrial work) to perform work in an industrial undertaking and to remain under the orders of the management.

I. In the case of underground work the time taken in entering and leaving shall be included in the period of employment.

II. The period of employment of workers who carry out specified work outside the industrial undertaking shall be fixed by a special agreement with the workers concerned.

3. The period of employment fixed by the works rules (Section 103 of the Regulations for industrial work — normal hours of work) shall not exceed 8 hours a day and 48 hours a week, including the time necessary for cleaning machinery and clearing up the works.

On the day before Christmas (24th December) and Whitsunday work shall cease at midday.

4. After at most 6 hours' work a break must be allowed in order that the workers may rest and take food. This break must last at least one hour.

The works rules shall define the „free breaks“; during these breaks the worker shall have the free disposal of his time and may leave the premises.

During free breaks the machines, shafting and mechanical looms must be stopped. An exception to this rule shall be allowed in the case of the overtime work falling under Sections 18—22 of this Act, and of machines or shafting for ventilation, pumping, lighting operations etc. in branches of industry in which the work cannot be interrupted for special technical reasons (e. g. in the case of incomplete melting or bleaching processes).

I. In undertakings in which the work is held by the Legislature or the General Chamber of Labour to be continuous and in which work is carried on in three shifts every twenty-four hours, the provisions respecting the free break shall not apply; the workers shall however be allowed to take food during their hours of work.

II. If under certain circumstances a worker cannot remain at a distance from the process in order to take food, a suitable room shall be provided for this purpose. Such rooms must be provided for workers who work in contact with materials (lead, mercury, etc.) which are recognised as dangerous by the general administration for factories and mines (or the authority representing the same).

5. The total duration of breaks in 24 hours shall not exceed 2 hours.

6. Night work shall be work performed between 9. p. m. and 5 a. m.

7. No woman of any age or young person under 16 shall work at night.

8. In the case of undertakings in which work is carried on in two shifts, night shall be held to be the period between 9 p. m. and 5 a. m.; in this case the free breaks (Section 4) in each shift may be reduced to half an hour.

9. In cases where, in view of the wishes of the workers (e. g. in brick works) or as a result of climatic conditions, a longer midday break is desirable, the general administration for factories and mines (or the authorities representing the same) may allow exceptions to Sections 4—6 and 8 of this Act.

10. As regards the employment of young persons under 18, the following rules shall be observed in addition to those given above: (a) young persons under 14 shall not be employed as wage-earners; (b) the hours of work of persons under 18 years of age shall not exceed 6 hours in 24.

From 1st January 1919 onwards, persons under 15 shall not be employed as wage-earners. From 1st January 1920 this prohibition shall apply to all persons under 20.

11. The list of holidays on which work is not allowed (Section 103 of the regulations for industrial work) shall include: all Sundays, 1st January, 6th January, 27th February, 25th March, 1st May, 15th August, 14th September, 25th and 26th December, Good Friday, Easter Saturday, Easter Monday and Easter Tuesday, Ascension Day and Whit Monday.

I. Persons not being Christians may observe other days as Sundays and holidays in accordance with the laws of their religion. The other holidays shall be compulsory for them also except those named in the following sub-section.

II. At the request of a majority of the workers in an undertaking other holidays may be substituted for the following: 1st and 6th January, 15th August, 14th September, 26th December, Easter Saturday and Easter Monday.

12. Where work is carried on with only one shift, the minimum weekly rest must amount to 42 hours for each worker. If the work is carried on in two or three shifts, the minimum period of rest and the minimum number of holidays shall be fixed for each worker by a special agreement with the workers' organisations.

13. A mutual agreement between the director of an undertaking and the persons working therein may be made to the effect that, apart from the holidays named in Section 11, the latter may be employed on holidays not in substitution for working days. If an agreement is made to this effect, the parties thereto must immediately notify the competent authorities having the duty of supervising the observance of this Act.

14. The general administration for factories and mines (or the authorities representing the same) shall have the right, in cases of unavoidable necessity to issue regulations deviating from the provisions of Sections 3—5 and 8, in undertakings which, as a result of the nature of their production or in order to satisfy the needs of the public, are obliged to work at night or irregularly at different seasons (e. g. in street lighting and water supply).

15. In especially unhealthy undertakings or branches of manufacture where the workers suffer from very unfavourable conditions and where there is a danger of industrial disease (e. g. in drying works with high temperature, in mercury factories, bleach works etc.) the eight hour working day fixed in Sections 3—5 may be further restricted. A list of such processes and undertakings with the hours of work compatible with the interests of health in each particular process shall be drawn up by the general administration for factories and mines (or the authorities representing the same) together with rules for working conditions in other respects.

16. Women of any age and young persons of both sexes under 18 shall not be employed in underground work.

17. Exceptions to the provisions of Sections 3—5, 8—12, shall only be allowed in agreement with the workers and after approval by the workers' organisations. These permits shall cover all accessory processes: (1.) regulating; (2.) tending steam boilers, motors, apparatus for the transmission of power, lighting and heating apparatus in factories and smelting works, as well as water plant; (3.) watching service, guarding against fire, and in general all processes which must be carried out in advance in order that the work of the industrial undertaking may be started at the hour fixed, as well as all processes which must necessarily be carried out after manufacturing work has ceased.



18. Work done by workers beyond the hours fixed by the rules shall count as overtime. Overtime shall only be allowed subject to the conditions laid down in Sections 19—22 of this act. Overtime shall be paid for at double rates.

19. Workers under 18 years of age and women of any age shall not be employed on overtime. Workers over 18 years of age shall only be employed on overtime in pursuance of a decision of the workers' organisation and in the following cases:

(a) If the overtime is necessary in order to complete work begun, which in consequence of unforeseen occurrences (an accidental check to the manufacturing process) cannot be completed in the time normally necessary (in accordance with the works rules), if the cessation of the said work would involve danger of some sort or would be likely to cause damage to raw materials or the manufacturing apparatus (this includes, e. g., the chemical industry, metal smelting etc.);

(b) For carrying out work which is necessary to obviate dangers of some sort to persons and property, and for the prevention of accidents which might damage material which must be kept in good condition for the purposes of water and light supplies, heating, canalisation and important public means of communication;

(c) For repair work made absolutely necessary by sudden defects in steam boilers, apparatus for the transmission of power, and in general by unforeseen injury to machines, apparatus, construction (buildings, dams, mine shafts etc.) which might cause an interruption of work in the whole undertaking or any of its accessory processes;

(d) For temporary work absolutely necessary temporarily for the resumption of work in any part of an undertaking destroyed by fire, flood etc.

20. In the cases of overtime mentioned under (d) of Section 19, it shall be necessary to procure from the labour commissioner or the labour inspector a special permit stating the daily duration of such work and the period within which it must be completed. As regards the cases of overtime mentioned under (b) and (c) of Section 19, it shall be sufficient merely to notify the inspector.

21. All overtime shall be separately entered in the workers' work books with particulars of the corresponding wages; in addition, in the books of the establishment an exact and complete record shall be kept in respect of each worker of the overtime worked by him.

22. Overtime within the meaning of Sections 19—21 shall only be permitted during 50 days in any part of an undertaking. In order to facilitate supervision, a special record shall be made of every day on which overtime is worked in any part of the undertaking, even when only one worker is affected.

23. The overtime worked by any particular worker shall in no case exceed 4 hours in two consecutive days.

24. Until the suspension of hostilities the provisions limiting hours of overtime (Sections 19—23) and those relating to breaks (Sections 4—6) may remain in suspension if an agreement to that effect is made with the workers and the workers' organisations.

25. This Act shall be proclaimed by telegraph and put into operation immediately. Contraventions of this Act shall be punished by imprisonment for a term not exceeding one year.

**2. Decree of the Central Executive Committee of the Soldiers' and Workers' Representatives respecting Labour control.** Dated 14th/27th November 1917 (*Correspondenzblatt der Generalkommission der Gewerkschaften Deutschlands* 1918, 108).

(This Decree deals with the workers' right to control the business of the undertaking in which they work. A German translation is printed in G. B. XVII, p. 235.)

**3. Order respecting the Regulation of Collective Contracts concerning wages and conditions of work.** Published in No. 135 of the »News of the All-Russian Executive Committee of the Soviets« of 2nd July 1918.)

(A German translation of this Decree is printed in the G. B. XVII, p. 236.)

## XV. Sweden.

1. *Lag om försäkringsradet.* Den 29 juni 1917. (*Sociala Meddelanden* 1917, p. 888.)

Act respecting the insurance council. Dated 29th June 1917.

2. *Lag om ändrad lydelse av 2, 7 och 35 §§ i lagen den 17 juni 1916 om försäkring för olycksfall i arbete.* Den 14 juni 1917.

Act to amend §§ 2, 7 and 35 of the Act of 17th June 1916 respecting insurance against industrial accidents. Dated 14th June 1917.

## XVI. Switzerland.

1. *Verordnung betreffend das Submissionswesen bei der Direktion der eidgenössischen Bauten.* Vom Bundesrat am 29. Dezember 1917 genehmigt. (*Schweiz. Gesetzsammlung* 1918, S. 197.)

Order respecting the giving out of contracts by the Department of Federal works of construction. Dated 29th December 1917.

2. *Bundesratsbeschluss betreffend Inkrafttreten der Art. 30 bis 35 (Einigungsstellen) des Bundesgesetzes vom 18. Juni 1914 betreffend die Arbeit in den Fabriken.* Vom 1. Februar 1918. (*Schweiz. Gesetzsammlung* 1918, S. 189.)

Resolution of the Federal Council respecting the coming into force of Sections 30-35 (Conciliation Boards) of the Federal Act of 18th June 1914 respecting work in factories. Dated 1st February 1918.

3. *Bundesratsbeschluss betreffend die Errichtung von Einigungsstellen.* Vom 1. Februar 1918. (*Schweiz. Gesetzsammlung* 1918, S. 190.)

Resolution of the Federal Council respecting the establishment of Conciliation Boards. Dated 1st February 1918.



	Page
Resolution of the Senate containing regulations for cigar, cigarette and tobacco factories in Finland. 25th May/7th June 1917 . . . . .	36
Act respecting the eight hour working day. 27th November 1917 . . . . .	36
Act to amend §§ 3, 11, and 12 of the act of 27th November 1917 respecting the eight-hour working-day. 16th August 1918 . . . . .	36
Order respecting the application of the Eight-Hour Act of November 27th 1917. 19th August 1918 . . . . .	39
Decree of the Finnish Senate respecting special exceptions to the provisions of the Eight-Hour Act of November 27th 1917. 19th August 1918 . . . . .	39
Decree of the Finnish Senate respecting the extended exemption of specified concerns and establishments from observance of the Eight-Hour Act. 19th August 1918 . . . . .	40
<b>France:</b> Decree to supplement the Decree of 22nd May 1916 fixing the conditions under which Book II of the Code of Labour shall apply to Réunion. 9th January 1917 . . . . .	40
Act to amend paragraph 3 of section 4 of the Act of 9th April 1898 as amended by the Act of 31st March 1905, relating to liability for industrial accidents. 5th March 1917 . . . . .	41
Act respecting measures to be taken for the protection against alcoholism of workers and employees employed in establishments subject to the Code of Labour. 6th March 1917 . . . . .	41
Circular (Labour) transmitting to the Prefects a circular of the Keeper of the Seals and of the Under-Secretary of State for Labour, dated 12th January 1917, addressed to the justices of the peace and relating to the application of the Act of 10th July 1915. 19th March 1917 . . . . .	41
Act respecting workers' profit-sharing companies. 26th April 1917 . . . . .	46
Act to organise the Saturday afternoon half-holiday for women in the clothing trades. 11th June 1917 . . . . .	46
Act to exempt from stamp duty and registration labour certificates given to workers, employees or servants and containing certain matter not contemplated in § 24 of Book I of the Code of Labour. 18th July 1917 . . . . .	46
Circular of the Minister of Labour concerning the application of the Act of 10th July 1915 (wages of women homeworkers in the clothing trade). Addressed to the Prefects. 23rd July 1917 . . . . .	46
Act respecting the breast-feeding of infants in industrial and commercial undertakings. 15th August 1917 . . . . .	47
Circular of the Minister of Labour respecting the application of the Act of 10th July 1915 respecting the wages of women homeworkers in the clothing trade (time from which time-limits are to be calculated. Addressed to the Prefects. 3rd September 1917 . . . . .	48
Decree issuing public administrative regulations respecting the application in the Department of the Seine of the Act of 12th June 1917 respecting the Saturday afternoon holiday in certain of the industries named in paragraph 33 of Book I of the Code of Labour. 18th September 1917 . . . . .	48
Act respecting the suppression of public drunkenness and the inspection of public houses. 1st October 1917 . . . . .	49
Act to amend and codify the Act of 2nd April 1914 respecting the guaranteeing of deposits of workers and employees. 18th October 1917 . . . . .	49
Decree allowing an exception to the Decree of 12th March 1916 respecting subventions to employment bureaux. 18th October 1917 . . . . .	49
Decree to amend the Decree of 10th July 1913 concerning general measures of protection and hygiene applicable to all establishments subject thereto. (Alcoholism. — Seats to be provided for women workers). 23rd October 1917 . . . . .	49
Circular respecting the application of the Act of the 11th June 1917 respecting the Saturday afternoon rest (addressed to the Divisional Inspector of Labour of the 1st Division of Paris). 14th November 1917 . . . . .	49
Act to amend the Act of 17th June 1913 concerning the rest of women on their confinement. 2nd December 1917 . . . . .	49
Act respecting dangerous, unhealthy or noxious trades. 19th December 1917 . . . . .	50

(Continued on page iiiii. of Cover.)



	Page
Order respecting the settlement of labour disputes by means of conciliation 22nd December 1917	50
Circular (merchant-shipping) respecting the settlement of labour disputes by means of conciliation. 22nd December 1917	50
Decree to supplement the Decree of 18th September 1917 issuing public ad- ministrative regulations in pursuance of the Act of 11th June 1917, respect- ing the Saturday afternoon rest in the industries named in Section 33 of Book I of the Code of Labour. 16th April 1918	50
Decree fixing the conditions to be satisfied by municipal and departmental unemployment funds in order to receive subventions from the National Unemployment Fund. 19th April 1918	51
Decree to amend the Decree of 18th September 1917, respecting the Saturday afternoon holiday in the clothing industries. 4th July 1918	51
<b>Great Britain and Ireland:</b> An Act for encouraging the production of Corn and for purposes connected therewith (including provision as to Agricultural Wages and Rents) 21st August 1917	51
An Act to amend the Trade Boards Act, 1909. 8th August 1918	51
An Act for prescribing Minimum Rates of Wages during a limited period and for repealing certain provisions of the Munitions of War Acts. 21st November 1918	51
<b>Italy:</b> Decree of the Lieutenant-General to establish a Commission to prepare a bill respecting compulsory insurance against illness. 22nd August 1917	52
Decree-Act concerning compulsory insurance against accidents in agriculture. 23rd August 1917	52
<b>Mexico:</b> Constitution of the United States of Mexico, amending the Constitution of 5th February 1857. 5th February 1917	52
<b>Norway:</b> Act respecting industrial homework. 15th February 1918	55
Rules respecting cleanliness in bakeries coming under the labour laws. 26th August 1916	59
<b>Netherlands:</b> Decree to issue general administrative regulations in pursuance of § 6 of the Stevedores Act. 5th September 1916	59
Decree to issue general administrative regulations in pursuance of § 9 of the Stevedores Act. 5th September 1916	59
Decree to issue general administrative regulations in pursuance of § 12 of the Stevedores Act. 5th September 1916	59
Decree to issue general administrative regulations in pursuance of § 17 of the Stevedores Act. 5th September 1916	60
Decree to issue general administrative regulations in pursuance of § 19 of the Stevedores Act. 5th September 1916	60
Decree to issue general administrative regulations respecting the register of 'stevedores' undertakings and giving out of labour cards. 5th September 1916	60
Decree to fix the date at which the Stevedores Act (Act of 16th October 1914, Staatsblad No. 486) shall come into force. 5th September 1916	60
<b>Russia:</b> Decree of the Central Executive Committee of the Soldiers' and Workers' Representatives respecting the eight hour working day, the duration and distribution of working hours. 26th October/11th November 1918	60
Decree of the Central Executive Committee of the Soldiers' and Workers' Re- presentatives respecting Labour control. 14th/27th November 1918	64
Order respecting the Regulation of Collective Contracts concerning wages and conditions of work	64
<b>Sweden:</b> Act respecting the insurance council. 29th June 1917	64
Act to amend §§ 2, 7 and 35 of the Act of 17th June 1916 respecting insurance against industrial accidents 14th June 1917	64
<b>Switzerland:</b> Order respecting the giving out of contracts by the Department of Federal works of construction 29th December 1917	64
Resolution of the Federal Council respecting the coming into force of Sect- ions 30—35 (Conciliation Boards) of the Federal Act of 18th June 1914 re- specting work in factories. 1st February 1918	64
Resolution of the Federal Council respecting the establishment of Conciliation Boards. 1st February 1918	64